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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 29 2004

By *[Signature]* Clerk
[Signature] Deputy Clerk

AMENDED DIRECTOR'S REPORT

Subcase No. 29-146

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

June 29, 2004

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Special Master Bilyeu's *Order Setting Deadlines and Hearings*, issued April 27, 2004, and *Order Granting Motion to Amend Notice of Claim*, issued May 28, 2004, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 29th day of June, 2004.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF MAILING

I certify that on June 29, 2004, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

Chief, Natural Resource Division
Office of the Attorney General
Box 83720
Boise, ID 83720-0010

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☐ Regular Mail
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☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

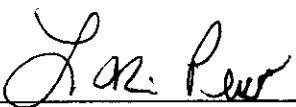
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Brenda Lee & Fawn Potter
P.O. Box 212
Lava Hot Springs, ID 83246

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Bannock County Clerk
624 E. Center, Room 211
Pocatello, ID 83201-6274

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person delivering form

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-146

NAME AND ADDRESS:

BRENDA LEA POTTER
PO BOX 212
LAVA HOT SPRINGS ID 83246

FAWN A POTTER
PO BOX 212
LAVA HOT SPRINGS ID 83246

SOURCE:

Source:
FISH CREEK

Tributary:

PORTNEUF RIVER

QUANTITY:

0.272 CFS ~~0.250 CFS~~

0.000 AFY

PRIORITY DATE:

03/01/1894

POINT OF DIVERSION:

T09S R38E S25 NENWNW

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 09/15

0.272 CFS

~~0.250 CFS~~

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R38E S24 SWSW 0.6

~~T09S R38E S24 SWSW 0.7~~

T09S R38E S25 NWNW 13.0

~~T09S R38E S25 NWNW 11.5~~

13.6 ACRES TOTAL

~~12.2 ACRES TOTAL~~

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM
1980 TO 1987.

EXPLANATORY MATERIAL:

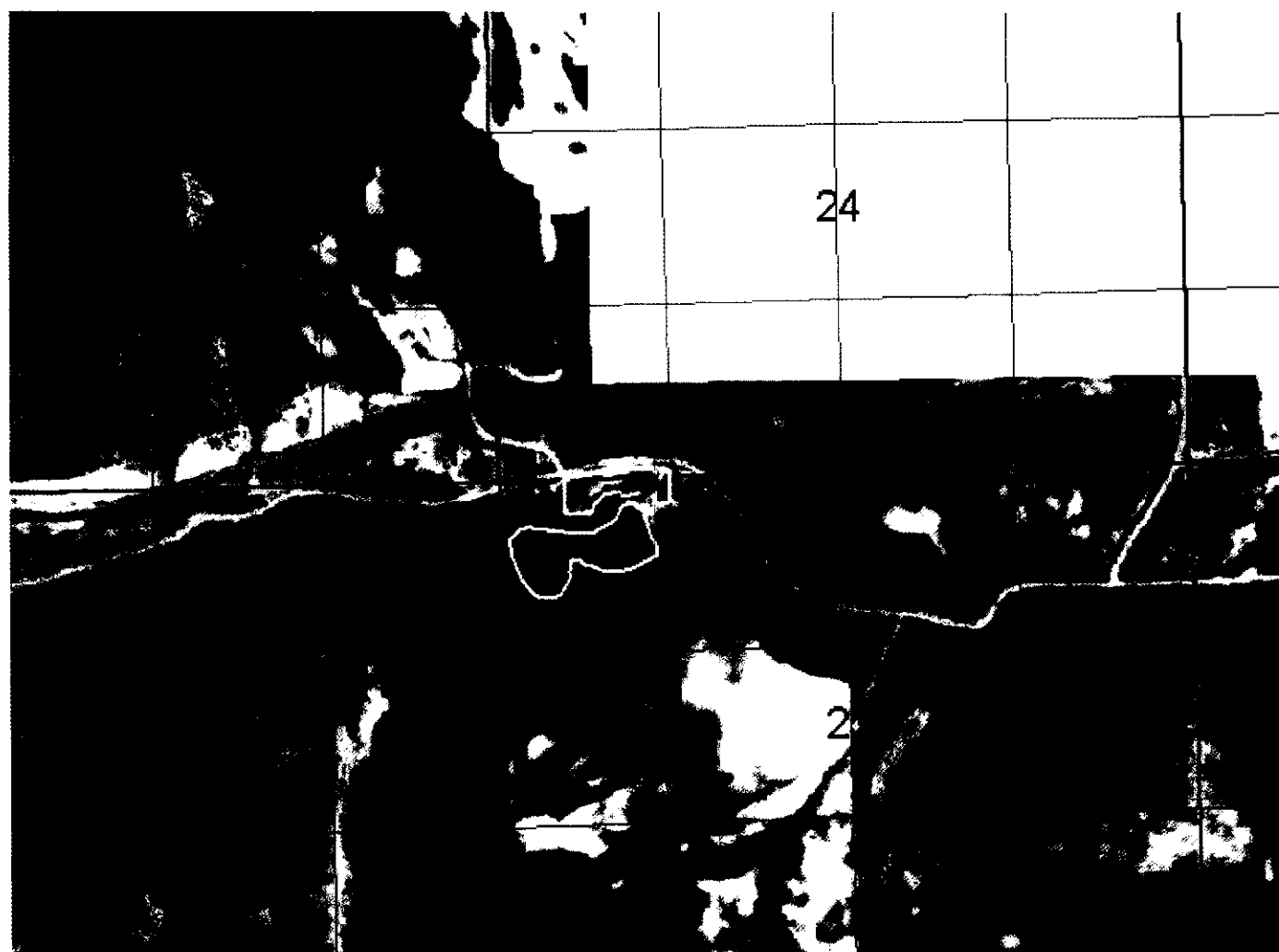
BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

PORTION OF RIGHT FORFEITED/ABANDONED.

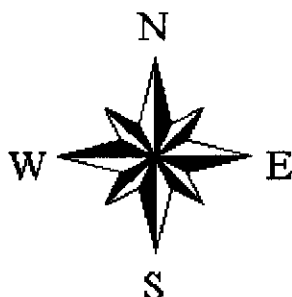
DEPARTMENT OF WATER RESOURCES

Claim No.: 29-146



0 1320 2640 3960 5280 Feet

- Point of diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: July 2004

Music, Vicky

From: Carlsen, Ernie
Sent: Sunday, June 27, 2004 8:53 AM
To: McHugh, Candice
Cc: Music, Vicky
Subject: RE: 29-146

Candice here is the ADR for 29-146. This is the shape Mr. Potter and I developed when he visited the office several weeks ago.



29-00146v2.jpg



29-00146.doc

Ernie

-----Original Message-----

From: McHugh, Candice
Sent: Friday, June 25, 2004 10:24 AM
To: Carlsen, Ernie
Cc: Music, Vicky
Subject: 29-146

Ernie,

Just a reminder -- we need an ADR on this by Tuesday, the 29th.

Task:

We need an ADR for this water right on June 29th. Brenda Lee is the current wife, not Teresa as on the amended claim. The 2000 change of ownership has the correct wife on it.

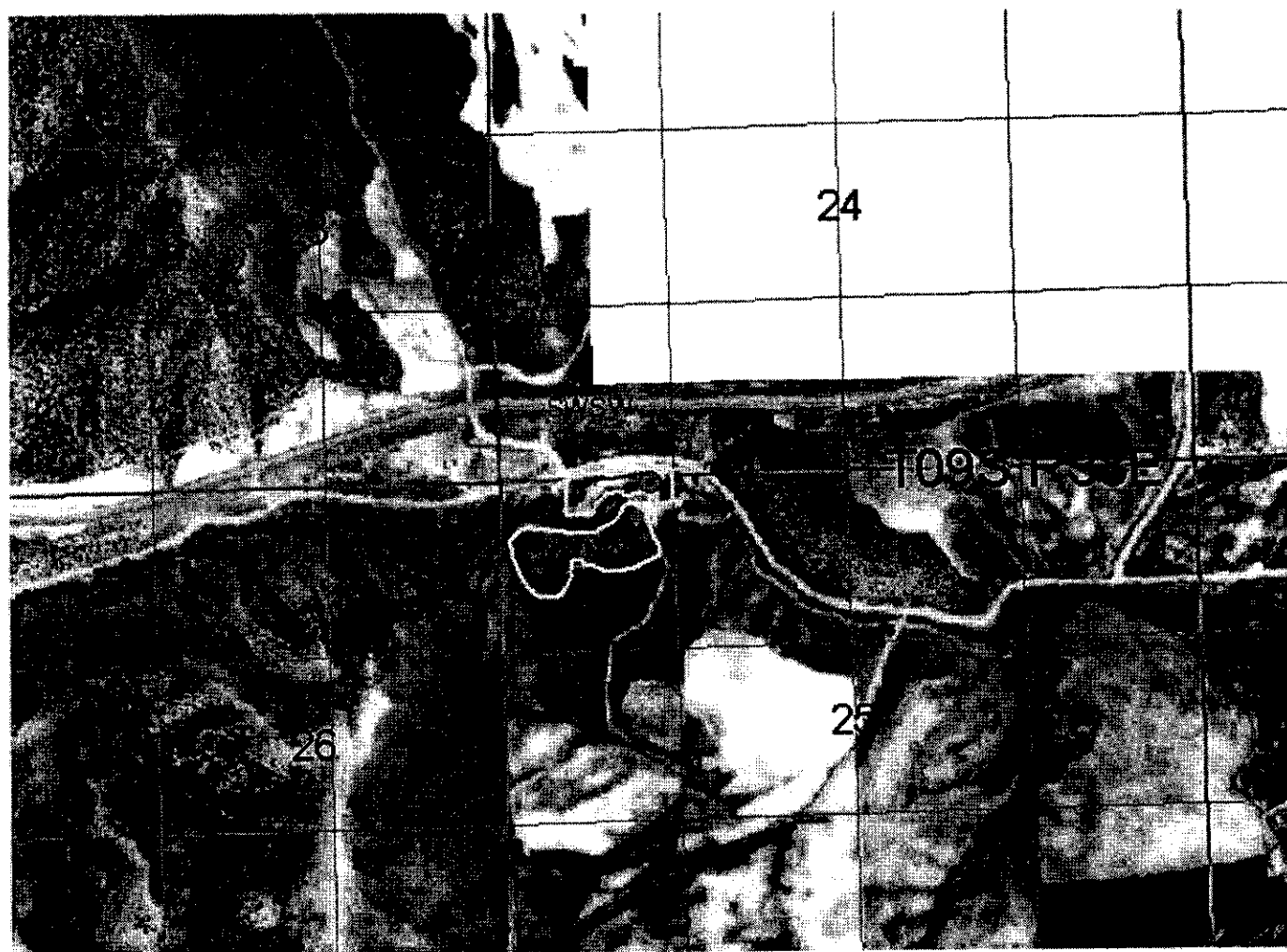
Thanks

Candice

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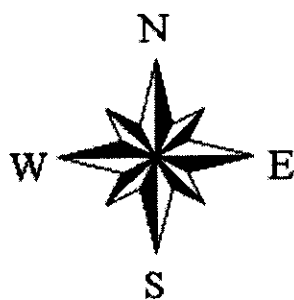
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