

AMENDED DIRECTOR'S REPORT

Subcase No. 27-7088

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
Donald V. Shaff, Adjudication Bureau Chief

August 30, 2006

DESCRIPTIVE SUMMARY

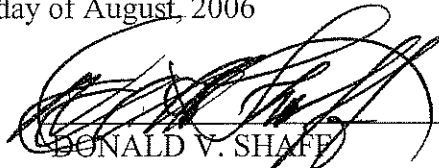
This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

During the Initial Hearings held in Blackfoot, Idaho for Basin 27 on July 25, 2006, the Department indicated to the Court and the parties that it planned submit Amended Director's Reports for those subcases involving ground water rights where the volume had been inadvertently left off from its original recommendations.

The volume element was mistakenly left off of the original recommendation for the aforementioned subcase. Therefore, the Director submits for filing with the Court, the attached Amended Director's Report.

Respectfully submitted this 30th day of August, 2006


DONALD V. SHAFF
Adjudication Bureau Chief

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

RIGHT NUMBER: 27-7088

NAME AND ADDRESS:

BRYCE J FIELDING
720 N 1100 E
SHELLEY ID 83274

MARY W FIELDING
720 N 1100 E
SHELLEY ID 83274

SOURCE:

Source:

Tributary:

GROUND WATER

Point of injection into and point of redirection from Blackfoot River.
Water shall not be diverted from the Blackfoot River unless ground water is
simultaneously being injected into the Blackfoot River at an equal rate.

QUANTITY:

6.050 CFS

1,590.000 AFY

The rights listed below are limited to a total combined diversion rate of
6.05 cfs and to a total combined annual diversion volume of 1590.0 AF at
the point of redirection.
Combined Right Nos.: 27-12028 and 27-7088.

PRIORITY DATE:

06/25/1977

POINT OF DIVERSION:

T02S R38E S7 Lot 3 NESWNE Rediversion
Within BINGHAM County

T03S R36E S3 Lot 4 NWSWNE
Within BINGHAM County

T03S R36E S3 Lot 4 NWSWNE Injection
Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

6.050 CFS 1,590.00 AFY

PLACE OF USE:

IRRIGATION within BINGHAM County

T02S R38E S06 Lot 1 NENE 22.0

T02S R38E S06 Lot 2 NWNE 14.0

T02S R38E S06 SWNE 37.0

T02S R38E S06 SENE 39.0

T02S R38E S06 SENW 25.0

T02S R38E S06 NESW 39.0

T02S R38E S06 Lot 8 NWSW 9.0

T02S R38E S06 SESW 38.0

T02S R38E S06 NESE 38.0

T02S R38E S06 NWSE 40.0

T02S R38E S06 SWSE 39.0

T02S R38E S06 SESE 25.0

T02S R38E S07 NENE 4.0
T02S R38E S07 NWNE 28.0

397 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 397 acres in a single irrigation season. Combined Right Nos.: 27-12028 and 27-7088.

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

This right is subject to regulation by the watermaster of Water District 27. 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Right 27-12028 is also diverted through the point(s) of diversion described above. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Totalizing measuring devices shall be maintained at the well and at the redirection pump from the Blackfoot River.

Diversion and use of water under this right shall be reduced or curtailed when necessary to prevent injury to holders of prior rights diverted from the Blackfoot River downstream from the point of redirection.

CERTIFICATE OF SERVICE

I certify that on August 30, 2006, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

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

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

2. Copies to:

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202

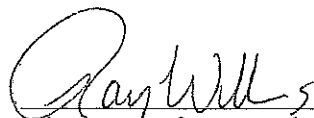
BRYCE J FIELDING
MARY M FIELDING
720 N 100 E
SHELLEY, ID 83274

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BINGHAM COUNTY COURTHOUSE
501 N MAPLE #310
BLACKFOOT, ID 83221-1700

U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL
RESOURCES DIVISION
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



Signature of person delivering form