

COPY

RECEIVED

OCT 24 2006

DEPARTMENT OF
WATER RESOURCES

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

AMENDED DIRECTOR'S REPORT

OCT 20 2006

Subcase Nos. 45-2428, 45-2485 and 45-4242

By _____ Clerk

Deputy Clerk

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

October 16, 2006

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to Judge Melanson's *Order Granting Motion to Set Aside Partial Decrees with Conditions* dated May 2, 2006, the Director submits for filing with the Court, Amended Director's Reports for the aforementioned subcases.

Respectfully submitted this 16th day of October, 2006.



DONALD V. SHAFF
Adjudication Bureau Chief

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

RIGHT NUMBER: 45-2428

NAME AND ADDRESS:

DIANNE L SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

G FRANK SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

SOURCE: GROUND WATER

Tributary:

QUANTITY: 1.300 CFS
320.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1728 AF. COMBINED RIGHT NOS. 45-2428, 45-2485 and
45-4242.

PRIORITY DATE: 12/15/1952

POINT OF DIVERSION:

T09S R25E S28 SENENE
Within CASSIA County

T09S R25E S28 NWSWNW
Within CASSIA County

~~T09S R25E S28 CWSWNW~~
~~Within CASSIA County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/15

1.300 CFS

320.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL AND AFTER OCTOBER 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 CASSIA County

T09S R25E S28 NENE 35.0

T09S R25E S28 NWNE 40.0

T09S R25E S28 SWNE 40.0

T09S R25E S28 SENE 40.0

T09S R25E S28 NENW 39.0

T09S R25E S28 NWNW 40.0

T09S R25E S28 SWNW 38.0

T09S R25E S28 SENW 40.0

T09S R25E S28 NESE 40.0

T09S R25E S28 SESE 40.0

T09S R25E S33 NENE 40.0

432 ACRES TOTAL

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 45-2428, 45-2485 and 45-4242.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

RIGHT NUMBER: 45-2485

NAME AND ADDRESS:

DIANNE L SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

G FRANK SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

SOURCE: GROUND WATER

Tributary:

QUANTITY: 2.680 CFS
640.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1728 AF. COMBINED RIGHT NOS. 45-2428, 45-2485 and
45-4242.

PRIORITY DATE: 11/08/1954

POINT OF DIVERSION:

T09S R25E S28 SENENE
Within CASSIA County

T09S R25E S28 NWSWNW
Within CASSIA County

~~T09S R25E S28 SWSWNW~~
~~Within CASSIA County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

2.680 CFS

640.00 AFY

PLACE OF USE:

IRRIGATION within CASSIA County

T09S R25E S28 NENE 35.0
T09S R25E S28 NWNE 40.0
T09S R25E S28 SWNE 40.0
T09S R25E S28 SENE 40.0
T09S R25E S28 NENW 39.0
T09S R25E S28 NWNW 40.0
T09S R25E S28 SWNW 38.0
T09S R25E S28 SENW 40.0
T09S R25E S28 NESE 40.0
T09S R25E S28 SESE 40.0
T09S R25E S33 NENE 40.0

432 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 45-2428, 45-2485 and 45-4242.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

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

RIGHT NUMBER: 45-4242

NAME AND ADDRESS:

DIANNE L SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

G FRANK SOMSEN
214 WESTSIDE DRIVE
RUPERT ID 83350

SOURCE: GROUND WATER

Tributary:

QUANTITY: 1.840 CFS
800.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1728 AF. COMBINED RIGHT NOS. 45-2428, 45-2485 and
45-4242.

PRIORITY DATE: 06/01/1956

POINT OF DIVERSION:

T09S R25E S28 SENENE
Within CASSIA County

T09S R25E S28 NWSWNW
Within CASSIA County

~~T09S R25E S28 SWSWNW~~
~~Within CASSIA County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

1.840 CFS

800.00 AFY

PLACE OF USE:

IRRIGATION

within CASSIA County

T09S R25E S28 NENE 35.0
T09S R25E S28 NWNE 40.0
T09S R25E S28 SWNE 40.0
T09S R25E S28 SENE 40.0
T09S R25E S28 NENW 39.0
T09S R25E S28 NWNW 40.0
T09S R25E S28 SWNW 38.0
T09S R25E S28 SENW 40.0
T09S R25E S28 NESE 40.0
T09S R25E S28 SESE 40.0
T09S R25E S33 NENE 40.0

432 ACRES TOTAL

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 45-2428, 45-2485 and 45-4242.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on Oct 17, 2006, I caused to be served true and correct copies of this Amended Director's Report, to the following persons, in the manner indicated and 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 Resources Div.
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

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

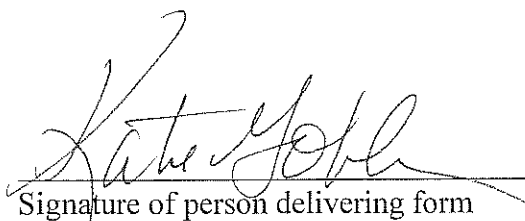
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Cassia County Courthouse
1459 Overland Ave.
Burley, ID 83318

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

William T. Goodman
Goodman Law Office Chartered
717 7th St.
P.O. Box D
Rupert, ID 83350

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


Signature of person delivering form