

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 FEB 14 AM 10 21

DIRECTOR'S REPORT

Subcase No. 45-13991

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
David R. Tuthill, Acting Director
Donald V. Shaff, Adjudication Bureau Chief

February 9, 2007

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the Special Master's *Order Granting Motion to Amend Notice of Claim* issued January 9, 2007, in related subcase 45-12906, the Director submits for filing with the Court a Director's Report for late claim 45-13991. An Amended Director's Report for the related subcase 45-12906 is being submitted concurrently with this Director's Report.

Respectfully submitted this 9th day of February, 2007.



DONALD V. SHAFF
Adjudication Bureau Chief

11/07/2006

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

RIGHT NUMBER: 45-13991

NAME AND ADDRESS: EARL L WARTHEN
PO BOX 145
ALBION ID 83311

SOURCE: SPRING CREEK

TRIBUTARY: HOWELL CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 03/18/1910

POINT OF DIVERSION:

T12S R25E S16 SENESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CASSIA County

T12S R25E S16	SENW	1.00	T12S R25E S16	NESW	17.00
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18 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.

This right and right nos. 45-10480, 45-10481, 45-10502, 45-12906, and 45-13991 shall be administered in accordance with that certain Water Rights Settlement Agreement recorded as instrument number 311858, Cassia County Records Office.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on 2/12, 2007, I caused to be served a true and correct copy 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

Shelley Davis
1010 W. Jefferson, Ste 102
P.O. Box 2139
Boise, ID 833701-2139

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

3. Courtesy Copy to:

Michael P. Tribe
615 H Street
P.O. Box 396
Rupert, ID 83350-0396

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



Signature of person delivering form