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DEPARTMENT OF
WATER RESOURCES

CORRECTED AMENDED DIRECTOR'S REPORT

Subcase No. 37-4365

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

April 11, 2007

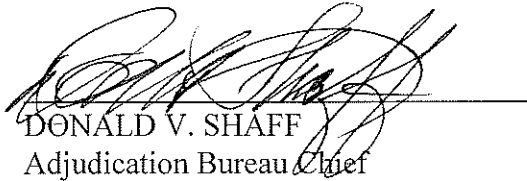
DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the Special Master's *Order Setting Deadlines and Status Conference* dated February 23, 2007, the Director filed with the Court an Amended Director's Report for subcases 37-4365, 37-21573 and 37-21574. Subsequently, an error was discovered in the irrigation quantity shown under the Purpose and Period of Use element of the amended recommendation of right 37-4365. The amended recommendations of rights 37-21573 and 37-21574 are not effected by the error in 37-4365. To correct the quantity error in found only in right 37-4365, the Director submits for filing with the Court a Corrected Amended Director's Report for subcase 37-4365.

Respectfully submitted this 11th day of April, 2007.


DONALD V. SHAFF
Adjudication Bureau Chief

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

RIGHT NUMBER: 37-4365

NAME AND ADDRESS: EUGENE P SWENSON
STAR RT BOX 34
BLISS ID 83314

MARILYN SWENSON
STAR RT BOX 34
BLISS ID 83314

SOURCE: BIRCH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: ~~0.300 CFS~~
0.500 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Right nos. 37-4365 and 37-4366 are limited to a total combined diversion rate of ~~0.30 cfs~~ 0.50 cfs

PRIORITY DATE: 03/15/1928

POINT OF
DIVERSION:

T06S R13E S35 SWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	~~0.300 CFS~~
		<u>0.500 CFS</u>

PLACE OF USE: IRRIGATION in GOODING County

T06S R13E S34 Lot 4 ~~SESW~~ SWSE 6.90

STOCKWATER same as IRRIGATION

6.9 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 April 14th, 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
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☐ 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

Gooding County Courthouse
624 Main St.
P.O. Box 27
Gooding, ID 83333

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Jon C. Gould
Ringert Clark, Chartered
P.O. Box 2773
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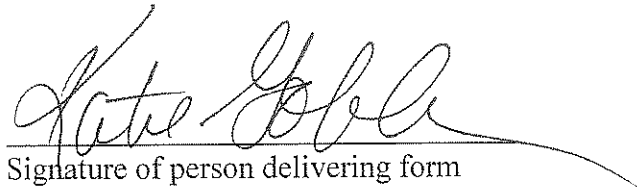
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Signature of person delivering form