

AMENDED DIRECTOR'S REPORT

Subcase No. 21-11192

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. Iuthill, Jr., Director

Donald V. Shaff, Adjudication Bureau Chief

May 11, 2007

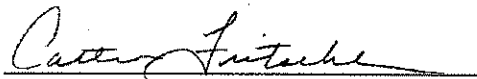
DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* filed on April 12, 2007, the hearing held on April 26, 2007, and the *Order Granting Motion to File Amended Claim and Setting Subcase Deadlines* issued by Special Master Bilyeu on or about May 1, 2007, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 11th day of May, 2007.

A handwritten signature in cursive script, reading "Carter Fritschle", written over a horizontal line.

Carter Fritschle
Acting Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 5-11, 2007, 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:

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

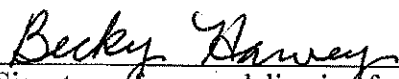
Chief, Natural Resource Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

Via Statehouse mail

C Timothy Hopkins
428 Park Avenue
PO Box 51219
Idaho Falls, ID 83405-1219

Stephen C Cann
The Nature Conservancy
2424 Spruce St, Suite 100
Boulder, CO 80302

Fremont County Courthouse
151 W 1st N Rm 15
St. Anthony, ID 83445


Signature of person delivering form

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED DIRECTORS REPORT FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-11192

NAME AND ADDRESS: THE NATURE CONSERVANCY
116 1ST AVE N
HAILEY ID 83333-8411

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 10.000 CFS

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

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

115N R43E S36 NENESW Within FREMONT County
T15N R43E S36 SENESW Within FREMONT County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.230 CFS
IRRIGATION	05/01 10/31	10.000 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T14N R43E S01 Lot 1 NENE	6.10	T14N R43E S01 Lot 2 NWNE	38.00
T14N R43E S01 SWNE	37.00	T14N R43E S01 SENE	21.00
T14N R43E S01 Lot 3 NENW	24.00	T14N R43E S01 Lot 4 NWNW	1.70
T14N R43E S01 SWNW	11.00	T14N R43E S01 SENW	40.00
T14N R43E S01 NESW	40.00	T14N R43E S01 SESW	36.00
T14N R43E S01 NESE	40.00	T14N R43E S01 NWSE	38.00
T14N R43E S01 SWSE	40.00	T14N R43E S01 SESE	38.00
T14N R43E S12 NENE	40.00	T14N R44E S06 NESW	34.00
T14N R44E S06 Lot 6 NWSW	34.00	T14N R44E S06 Lot 7 SWSW	34.00
T14N R44E S06 SESW	40.00	T14N R44E S07 NENE	29.00
T14N R44E S07 NWNE	40.00	T14N R44E S07 SWNE	40.00
T14N R44E S07 SENE	32.00	T14N R44E S07 NENW	40.00
T14N R44E S07 SENW	3.90	T14N R44E S07 Lot 4 SENW	26.00
T14N R44E S07 Lot 7 SENW	8.30	T14N R44E S07 NESW	1.20
T14N R44E S07 Lot 6 NESW	1.10	T14N R44E S07 Lot 7 NESW	36.00
T14N R44E S07 Lot 9 SWSW	7.00	T14N R44E S07 SESW	37.00
T14N R44E S07 NESE	0.50	T14N R44E S07 NESE	0.10
T14N R44E S07 Lot 5 NESE	33.00	T14N R44E S07 NWSE	2.80
T14N R44E S07 Lot 6 NWSE	0.10	T14N R44E S07 Lot 6 NWSE	8.40
T14N R44E S07 Lot 6 NWSE	26.00	T14N R44E S07 Lot 10 NWSE	40.00
T14N R44E S07 SESE	8.60	T14N R44E S07 Lot 5 SESE	0.40
T14N R44E S07 Lot 11 SESE	18.00	T14N R44E S18 NENE	0.20
T14N R44E S18 NENE	0.40	T14N R44E S18 NENE	0.50
T14N R44E S18 Lot 1 NENE	0.10	T14N R44E S18 Lot 3 NENE	33.00
<u>STOCKWATER same as IRRIGATION</u> 1066.4 ACRES TOTAL			

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED DIRECTORS REPORT FOR WATER RIGHTS ACQUIRED UNDER STATE LAW

The rights listed below are limited to the irrigation of a combined total of 1066.4 acres in a single irrigation season. Combined Right Nos.: 21-178, 21-179, 21-11192, 21-12906

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 21-11192
Date Received
Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) The Nature Conservancy Phone (208) 788-8988
Mailing Address 116 1st Ave., North, Hailey, ID Zip 83333

2. Date of Priority (Only one (1) per claim) 04/01/1939

3. Source of water supply (a) Henrys Fork
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 15N Range 43E Section 36
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Fremont

Additional points of diversion if any: T15N R43E S36 SENESW within Fremont County

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

A diversion dam and two headgates are located in the NESW quarter - quarter of section 36 along the
Henry's Fork Outlet. One headgate diversion (36" conduit) feeds a ditch running the length of property
on the East side of the outlet providing water for irrigation in section 1 and sections 6, 7 and 18. The other
headgate (56" W 36" H Arch CMP Conduit) feeds a ditch which runs through most of the West side of the outlet
and also provides water to neighboring property. This ditch supports irrigation in section 1 and section 7.
The diversion dam was reconstructed in the summer of 2002 along with both headgates. The westside ditch has
numerous side ditches and associated lateral ditches along its length. Most of the diversion from the westside
ditch is done without the aid of headgates though a few exist at various culverts. The westside ditch crosses

the SW corner of NENE quarter-quarter of Section 12 with a lateral originating in the SESE quarter of section 1.

6. Answer by matching the following phrases:

South Africa and Botswana

(1224)

(1907-1908)

For	Irrigation	purposes from	05/01	to	10/31	amount	10.0	or	
	Stockwater		01/01	to	12/31	amount	0.230	or	
For		purposes from		to		amount		or	
For		purposes from		to		amount		or	
For		purposes from		to		amount		or	

7. Total capacity consumed (a) _____ (b) _____ and/or (c) _____ (check one)

2. Total consumption use claimed is _____ acre feet per season.

a. Non-originate issues, describe fully (eg. Comments: Give number of households served; Showdown: Type and number of Swedish ECU)

in Direction of plane of face

3. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

See Attachment

[illegible]

Total number of active employees

11. In which country (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as price of sale? Yes X No
If your answer is No, describe in Remarks below the situation you have to claim this water right.

12. Describe any other water types used at the same place and for the same purposes as described above.

21-178,21-179,21-12906

2.4. Experiment 1

The rights listed (21-178,21-179,21-12906, 21-11192) are limited to the irrigation of a combined total of 1066.4 acres in a single irrigation season.

0-14-0

and the

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree ☒ 21-11192

If applicable provide IDWR Water Right Number _____

Court District Ct, 7th District Case Number 39576 Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Idaho State Director

of The Nature Conservancy that I have signed the foregoing
Organization

document in the space below as Idaho State Director of The Nature Conservancy
Title Organization

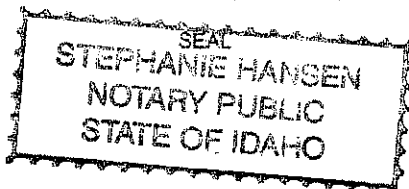
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Idaho State Director, The Nature Conservancy Date 4/11/07

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 11 day of April 2007



Notary Public [Signature]

Residing at 661 W. Myrtle St. Thuley ID

My Commission Expires 11/11

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Irrigation Within Fremont County, ID

Place of Use for 21-11192 and 21-12906

T14N	R43E	S12		NENE	40.0
T14N	R43E	S01	Lot 1	NENE	6.1
		S01	Lot 2	NWNE	38.0
		S01		SWNE	37.0
		S01		SENE	21
		S01	Lot 3	NENW	24.0
		S01	Lot 4	NWNW	1.7
		S01		SWNW	11.0
		S01		SENE	40.0
		S01		NESW	40.0
		S01		SESW	36.0
		S01		NESE	40.0
		S01		NWSE	38.0
		S01		SWSE	40.0
		S02		SESE	38.0
T14N	R44E	S06		NESW	34.0
		S06	Lot 6	NWSW	34.0
		S06	Lot 7	SWSW	34.0
		S06		SESW	40.0
		S07		NENE	29.0
		S07		NWNE	40.0
		S07		SWNE	40.0
		S07		SENE	32.0
		S07		NENW	40.0
		S07		SENE	3.9
		S07	Lot 4	SENE	26.0
		S07	Lot 7	SENE	8.3
		S07		NESW	1.2
		S07	Lot 6	NESW	1.1
		S07	Lot 7	NESW	36.0
		S07	Lot 9	SWSW	7.0
		S07		SESW	37.0
		S07		NESE	0.5
				NESE	0.1
		S07	Lot 5	NESE	33.0
		S07		NWSE	2.8
		S07	Lot 6	NWSE	0.1
		S07	Lot 6	NWSE	26.0
		S07	Lot 6	NWSE	8.4
		S07	Lot 10	SWSE(?)	40.0
		S07		SESE	8.6
		S07	Lot 5	SESE	0.4
		S07	Lot 11	SESE	18.0
		S18		NENE	0.2
		S18		NENE	0.4
		S19		NENE	0.5
		S18	Lot 1	NENE	0.1
		S18	Lot 3	NENE	33.0
					1066.4

Water Rights 21-11192 and 21-12906 Place of Use

 21-1192 and 21-12906 Place of Use Flat Ranch Property Point of Diversion

