

AMENDED DIRECTOR'S REPORT

Subcase No. 01-10509

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, Jr., Director
Donald V. Shaff, Adjudication Bureau Chief

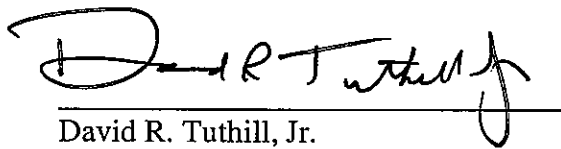
November 12, 2008

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to ongoing discussions and negotiations between the parties, and to assist with identification of the issues for trial, the Director submits the attached Amended Director's Report for filing with the Court.

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David R. Tuthill, Jr.

Director

Idaho Department of Water Resources

11/12/2008

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

RIGHT NUMBER: 1-10509

NAME AND ADDRESS: TWIN FALLS CANAL CO
PO BOX 326
TWIN FALLS ID 83301

NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 24,400.00 AFY

This right provides for maintaining a water surface elevation of 4133.72 feet measured at the upstream face of the dam.

The volume delivered for irrigation under this right shall be limited to actual physical drawdown of Lake Milner at the end of the irrigation season between water-surface elevations of 4,133.72 and 4,130.72 feet.

PRIORITY DATE: ~~06/21/1913~~ 03/01/1905

POINT OF
DIVERSION:

T10S R21E S28 SWNW Within TWIN FALLS County
T10S R21E S28 NWSW Within TWIN FALLS County
T10S R21E S29 NESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	24,400.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	24,400.00 AFY

This right is for checking and impounding the waters of the Snake River at Milner Dam.

PLACE OF USE:

Place of use for irrigation from storage is within the boundaries of Twin Falls Canal Company and North Side Canal Company.

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

Twin Falls Canal Company has 6/11ths ownership interest in this right and North Side Canal Company has 5/11ths ownership interest in this right.

Points of diversion listed above describe the location of Milner Dam.

Place of use for irrigation storage is Milner Reservoir.

The right holder may reduce, as necessary, the water surface elevation to facilitate maintenance and repair on Milner Dam and appurtenant structures.

CERTIFICATE OF SERVICE

I certify that on November 13 2008, 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:

JEROME COUNTY COURTHOUSE
300 N. LINCOLN
JEROME ID 83338

TWIN FALLS COUNTY COURTHOUSE
253 3RD AVE. N.
P.O. BOX 2707
TWIN FALLS ID 83303-2707

GOODING COUNTY COURTHOUSE
624 MAIN ST.
P.O. BOX 27
GOODING ID 83333

ELMORE COUNTY COURTHOUSE
150 S 4TH E., STE. 5
MOUNTAIN HOME, ID 83647

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

CHIEF, NATURAL RESOURCES DIVISION
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
P.O. BOX 44449
BOISE, ID 83711-4449

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

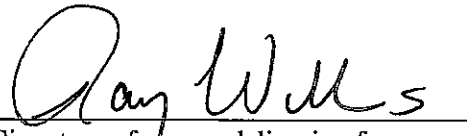
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

hand delivered

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

TWIN FALLS CANAL CO.
P.O. BOX 326
TWIN FALLS, ID 83303-0326

NORTH SIDE CANAL CO., LTD
921 N. LINCOLN AVE
JEROME, ID 83338

A handwritten signature in cursive script, appearing to read "Ray Williams", written over a horizontal line.

Signature of person delivering form