

AMENDED DIRECTOR'S REPORT

Subcase No. 27-10028

In Re SRBA

Twin Falls County Civil Case No. 39576

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 30 2008	
By _____	Clerk
_____	Deputy Clerk

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**

December 30, 2008

DESCRIPTIVE SUMMARY

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

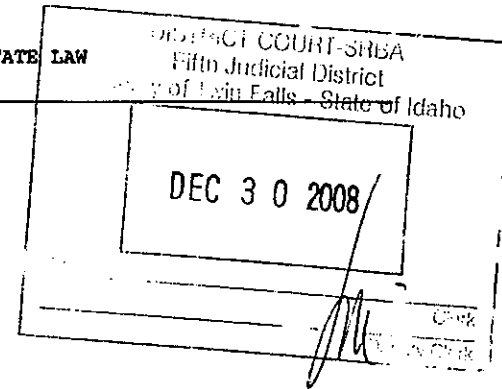
DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* filed on October 9, 2008, and the *Order Granting Motion to File Amended Claim and Setting Subcase Deadlines* issued by Special Master Bilyeu on November 24, 2008, the Director submits the attached Amended Director's Report for filing with the Court.


DONALD V. SHAFF
Adjudication Bureau Chief

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

RIGHT NUMBER: 27-10028
NAME AND ADDRESS: LEON J GARDNER
469 E 400 N
BLACKFOOT ID 83221
BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221



SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER
QUANTITY: 2.020 CFS
PRIORITY DATE: 04/01/1901

POINT OF
DIVERSION:

T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 SENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.020 CFS
STOCKWATER	03/01 11/30	0.940 CFS 8.40 AFY

PLACE OF USE: IRRIGATION in BINGHAM County

T02S R36E S14	NENE	9.60	T02S R36E S14	NWNE	22.00
T02S R36E S14	SWNE	11.00	T02S R36E S14	SEWN	18.00

STOCKWATER same as IRRIGATION

60.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 60.6 acres in a single irrigation season. Combined Right Nos.: 27-10028 and 27-12013.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 500 cow/calf pairs.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on December 30 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:

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

LEON J. & BONNIE P. GARDNER
469 E. 400 N.
BLACKFOOT, ID 83221

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

BINGHAM COUNTY COURTHOUSE
501 N. MAPLE, #310
BLACKFOOT ID 83221-1700



Signature of person delivering form