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MAR 10 2009

Department of Water Resources
Adjudication Bureau

AMENDED DIRECTOR'S REPORT

Subcase No. 21-12985

In Re SRBA
Twin Falls County Civil Case No. 39576

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR - 6 2009	
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

March 5, 2009

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Order Granting Motion to File Amended Claim, Setting Subcase Deadlines and Status Conference* issued by Special Master Bilyeu on September 9, 2008, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).


DONALD V. SHAFF
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on March 4, 2009, 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:

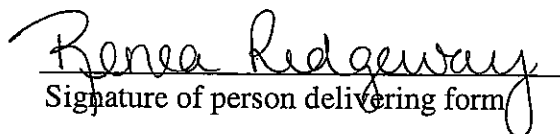
Donna T. and Robert E. Fuchs
3857 E. 500 N
Rigby, ID 83442

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

United States Dept. of Justice
Environment & Natural Resource
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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


Signature of person delivering form

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

RIGHT NUMBER: 21-12985

NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.500 CFS

The rights listed below are limited to a total combined diversion rate of 3.5 cfs. Combined Right Nos. :21-114C, 21-12985

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

PRIORITY DATE: 04/01/1950

POINT OF
DIVERSION: T09N R43E S35 NENESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.500 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12 Lot 1 SENE	31.00	T08N R42E S06 Lot 9 NESW	21.00
T08N R42E S06 SESE	40.00	T08N R42E S06 NESE	39.00
T08N R42E S06 Lot 14 NWSE	32.00	T08N R42E S06 SWSE	40.00
T08N R42E S06 SESE	40.00	T08N R42E S07 NENE	40.00
T08N R42E S07 NENE	40.00	T08N R42E S07 NENW	40.00
T08N R42E S07 Lot 1 NWNW	27.00	T08N R42E S07 Lot 2 SWNW	30.00

STOCKWATER same as IRRIGATION

420 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.:21-114C, 21-115A, 21-115B, 21-12985, 21-12991

This right is limited to the irrigation of 363 acres within the place of use described above in a single irrigation season.

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

Water is delivered through North Fremont Canal System (Farmers Own Canal).