

COPY

DISTRICT COURT - SRBA
AMENDED DIRECTOR'S REPORT CO., IDAHO

Subcase No. 21-59

FILED

2009 MAY 4 PM 1 07

In Re SRBA
Twin Falls County Civil Case No. 39576

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MAY 05 2009

DEPARTMENT OF
WATER RESOURCES

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

May 1, 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 Notice of Claims, Setting Subcase Deadlines and Status Conference* issued by Special Master Bilyeu on February 10, 2009, 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 May 1, 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:

NATURAL GUARDIAN LTD
Represented by:
Robert L. Harris
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

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

Clark County Courthouse
1459 Overland Ave.
Burley, ID 83318

Desera D. Kramer
Signature of person delivering form

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

RIGHT NUMBER: 21-59

NAME AND ADDRESS: NATURAL GUARDIAN LTD PARTNERSHIP
2880 N 55 W
IDAHO FALLS ID 83402

SOURCE: SHERIDAN CREEK

TRIBUTARY: ISLAND PARK RESERVOIR

QUANTITY: 3.200 CFS

The rights listed below are limited to a total combined diversion rate of 77.15 cfs. Combined Right Nos.: 21-59, 21-108, 21-116, 21-2017, 21-2054A and 21-2158

PRIORITY DATE: 03/19/1902

POINT OF DIVERSION:

T13N R40E S13 SWNE Within CLARK County
T13N R40E S13 SWNE Within CLARK County
T13N R40E S13 NESE Within CLARK County
T13N R40E S13 SWNE Within CLARK County
T13N R40E S13 SWNE Within CLARK County
T13N R40E S24 SESE Within CLARK County
T13N R41E S7 NWNENW Within CLARK County
T13N R41E S7 NESWNW Lot 2 Within CLARK County
T13N R41E S7 SWSWSW Lot 4 Within CLARK County
T13N R41E S18 SWNWNW Lot 1 Within CLARK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE		PERIOD OF USE		QUANTITY	
IRRIGATION		05/01	10/31	3.200 CFS	
PLACE OF USE: <u>IRRIGATION in CLARK County</u>					
T13N R40E S12	NESW	19.00	T13N R40E S12	SESW	5.70
T13N R40E S12	NESE	40.00	T13N R40E S12	NWSE	40.00
T13N R40E S12	SWSE	33.00	T13N R40E S12	SESE	40.00
T13N R40E S13	NENE	36.00	T13N R40E S13	NWNE	5.10
T13N R40E S13	SWNE	0.20	T13N R40E S13	SENE	36.00
T13N R40E S13	NESE	40.00	T13N R40E S13	NWSE	4.40
T13N R40E S13	SWSE	4.70	T13N R40E S13	SESE	40.00
T13N R40E S24 Lot 1	NENE	40.00	T13N R40E S24 Lot 2	NWNE	12.00
T13N R40E S24	SWNE	13.00	T13N R40E S24	SENE	40.00
T13N R40E S24	NESE	40.00	T13N R40E S24	NWSE	8.40
T13N R40E S24	SWSE	0.80	T13N R40E S24	SESE	38.20
T13N R41E S07 Lot 2	SWNW	9.60	T13N R41E S07	SENW	5.60
T13N R41E S07	NESW	33.00	T13N R41E S07 Lot 3	NWSW	40.00
T13N R41E S07 Lot 4	SWSW	40.00	T13N R41E S07	SESW	38.00
T13N R41E S08	SWSW	24.80	T13N R41E S08	SESW	22.80
T13N R41E S08	SWSE	15.10	T13N R41E S08	SESE	0.40
T13N R41E S16	NWNW	11.00	T13N R41E S16	SWNW	40.00
T13N R41E S16	SENW	9.50	T13N R41E S16	NESW	34.00
T13N R41E S16	NWSW	40.00	T13N R41E S16	SWSW	40.00

T13N R41E S16	SESW	40.00	T13N R41E S16	NWSE	9.60
T13N R41E S16	SWSE	7.80	T13N R41E S17	NENE	29.00
T13N R41E S17	NWNE	40.00	T13N R41E S17	SWNE	40.00
T13N R41E S17	SENE	40.00	T13N R41E S17	NENW	40.00
T13N R41E S17	NWNW	40.00	T13N R41E S17	SWNW	40.00
T13N R41E S17	SENW	40.00	T13N R41E S17	NESW	40.00
T13N R41E S17	NWSW	40.00	T13N R41E S17	SWSW	40.00
T13N R41E S17	SESW	40.00	T13N R41E S17	NESE	40.00
T13N R41E S17	NWSE	40.00	T13N R41E S17	SWSE	40.00
T13N R41E S17	SESE	40.00	T13N R41E S18	NENE	40.00
T13N R41E S18	NWNE	40.00	T13N R41E S18	SWNE	40.00
T13N R41E S18	SENE	40.00	T13N R41E S18	NENW	40.00
T13N R41E S18 Lot 1	NWNW	40.00	T13N R41E S18 Lot 2	SWNW	40.00
T13N R41E S18	SENW	40.00	T13N R41E S18	NESW	40.00
T13N R41E S18 Lot 3	NWSW	40.00	T13N R41E S18 Lot 4	SWSW	40.00
T13N R41E S18	SESW	40.00	T13N R41E S18	NESE	40.00
T13N R41E S18	NWSE	40.00	T13N R41E S18	SWSE	40.00
T13N R41E S18	SESE	40.00	T13N R41E S19	NENE	40.00
T13N R41E S19	NWNE	40.00	T13N R41E S19	SWNE	40.00
T13N R41E S19	SENE	40.00	T13N R41E S19	NENW	40.00
T13N R41E S19 Lot 1	NWNW	40.00	T13N R41E S19 Lot 2	SWNW	40.00
T13N R41E S19	SENW	40.00	T13N R41E S19	NESW	40.00
T13N R41E S19 Lot 3	NWSW	40.00	T13N R41E S19 Lot 4	SWSW	40.00
T13N R41E S19	SESW	40.00	T13N R41E S19	NESE	40.00
T13N R41E S19	NWSE	40.00	T13N R41E S19	SWSE	40.00
T13N R41E S19	SESE	40.00	T13N R41E S20	NENE	40.00
T13N R41E S20	NWNE	40.00	T13N R41E S20	SWNE	40.00
T13N R41E S20	SENE	40.00	T13N R41E S20	NENW	40.00
T13N R41E S20	NWNW	40.00	T13N R41E S20	SWNW	40.00
T13N R41E S20	SENW	40.00	T13N R41E S20	NESW	40.00
T13N R41E S20	NWSW	40.00	T13N R41E S20	SWSW	40.00
T13N R41E S20	SESW	40.00	T13N R41E S20	NESE	40.00
T13N R41E S20	NWSE	40.00	T13N R41E S20	SWSE	40.00
T13N R41E S20	SESE	40.00	T13N R41E S21	NWNE	5.00
T13N R41E S21	SWNE	0.40	T13N R41E S21	NENW	40.00
T13N R41E S21	NWNW	40.00	T13N R41E S21	SWNW	40.00
T13N R41E S21	SENW	38.60	T13N R41E S21	NESW	35.00
T13N R41E S21	NWSW	40.00	T13N R41E S21	SWSW	39.00
T13N R41E S21	SESW	33.00			

3857.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 3857.7 acres in a single irrigation season. Combined Right Nos.: 21-59, 21-108, 21-116, 21-2017, 21-2054A and 21-2158.

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

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 - Decreed

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