

AMENDED DIRECTOR'S REPORT

Subcase No. 63-31058

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Interim Director
Carter Fritschle, Manager, Adjudication Section

June 10, 2010

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Order Granting Motion to File Amended Notice of Claim and Order Setting Deadlines* issued by Special Master Booth on January 30, 2009, and the subsequent *Third Order Amending Deadlines* issued by Special Master Booth on May 26, 2010, the Interim Director submits the attached Amended Director's Report for filing with the Court.

A handwritten signature in blue ink, reading "Carter Fritschle", is written over a horizontal line.

Carter Fritschle
Manager, Adjudication Section

Amended Director's Report
Right No. 63-31058

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

RIGHT NUMBER: 63-31058

NAME AND ADDRESS: THE TERTELING CO INC
3858 GARDEN CENTER WY STE 300
BOISE ID 83703

SOURCE: SPRING
STEWART CREEK

TRIBUTARY: STEWART CREEK
TRIBUTARY: BOISE RIVER

QUANTITY: 1.000 CFS

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

PRIORITY DATE: 01/01/1945

POINT OF DIVERSION:

T04N R02E S14 SESW Within ADA County
T04N R02E S14 SESW Within ADA County
T04N R02E S14 SESW Within ADA County
T04N R02E S14 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	2.00 AFY
IRRIGATION	03/15 11/15	0.320 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION in ADA County

T04N R02E S14	SWSW	9.80	T04N R02E S14	SESW	5.00
T04N R02E S15	SESE	1.00			

STOCKWATER same as IRRIGATION

15.8 ACRES TOTAL

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 - Beneficial Use

Stockwater use is for 300 head of range cattle.

CERTIFICATE OF SERVICE

I certify that on JUNE 11, 2010, 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:

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

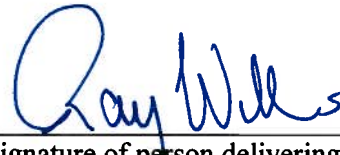
STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

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

THE TERTELING CO., INC.
Represented by:
CHARLES L. HONSINGER
455 S. THIRD STREET
P.O. BOX 2773
BOISE, ID 83701-2773

EDWARDS FAMILY, LLC
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702

ADA COUNTY COURTHOUSE
200 W. FRONT STREET
BOISE, ID 83702-7300

A handwritten signature in blue ink, appearing to read "Ray Wells", is written over a horizontal line.

Signature of person delivering form