

AMENDED DIRECTOR'S REPORTS

Subcase Nos. 01-139 & 01-140

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

October 12, 2010

DESCRIPTIVE SUMMARY

These are Amended Director's Reports submitted by the Interim Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Order Setting Aside Final Order Disallowing Water Right Claims and Order Requesting IDWR to File Amended Director's Reports* issued by Judge Wildman on February 9, 2010, the Interim Director submits the attached Amended Director's Reports for filing with the Court.

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

Carter Fritschle
Manager, Adjudication Section

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

RIGHT NUMBER: 1-139

NAME AND ADDRESS: BANNOCK JIM SLOUGH CANAL CO
C/O TIM MC GARRY
6505 W 3800 S
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12.000 CFS

PRIORITY DATE: 06/01/1889

POINT OF
DIVERSION:

T05N R39E S35 SENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	12.000 CFS

PLACE OF USE:

494 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Bannock Jim Slough Canal Company.

Place of use does not include federal public lands.

This right is limited to the irrigation of 452.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 494 acres in a single irrigation season. Combined Right Nos.: 1-139, 1-140, and 1-10545.

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.

Water is delivered through Bannock Jim Canal.

This right is old Right No. 22-654.

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

RIGHT NUMBER: 1-140

NAME AND ADDRESS: BANNOCK JIM SLOUGH CANAL CO
C/O TIM MC GARRY
6505 W 3800 S
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 05/01/1905

POINT OF
DIVERSION:

T05N R39E S35 SENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE:

494 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use does not include federal public lands.

Place of use is within the area served by Bannock Jim Slough Canal Company.

The rights listed below are limited to the irrigation of a combined total of 494 acres in a single irrigation season. Combined Right Nos.: 1-139, 1-140, and 1-10545.

This right is limited to the irrigation of 152.33 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

Amended Director's Report

1-140

Water is delivered through Bannock Jim Canal.

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

This right is old Right No. 22-655.



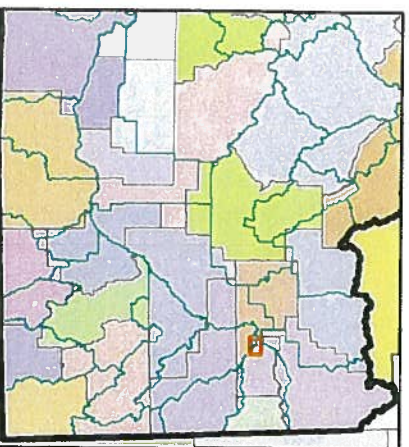
Bannock Jim Slough Canal Co

Adjudication Recommendations: 1-139, 1-140, 1-10545

Irrigation Service Area Boundary
GIS Place of Use Illustration

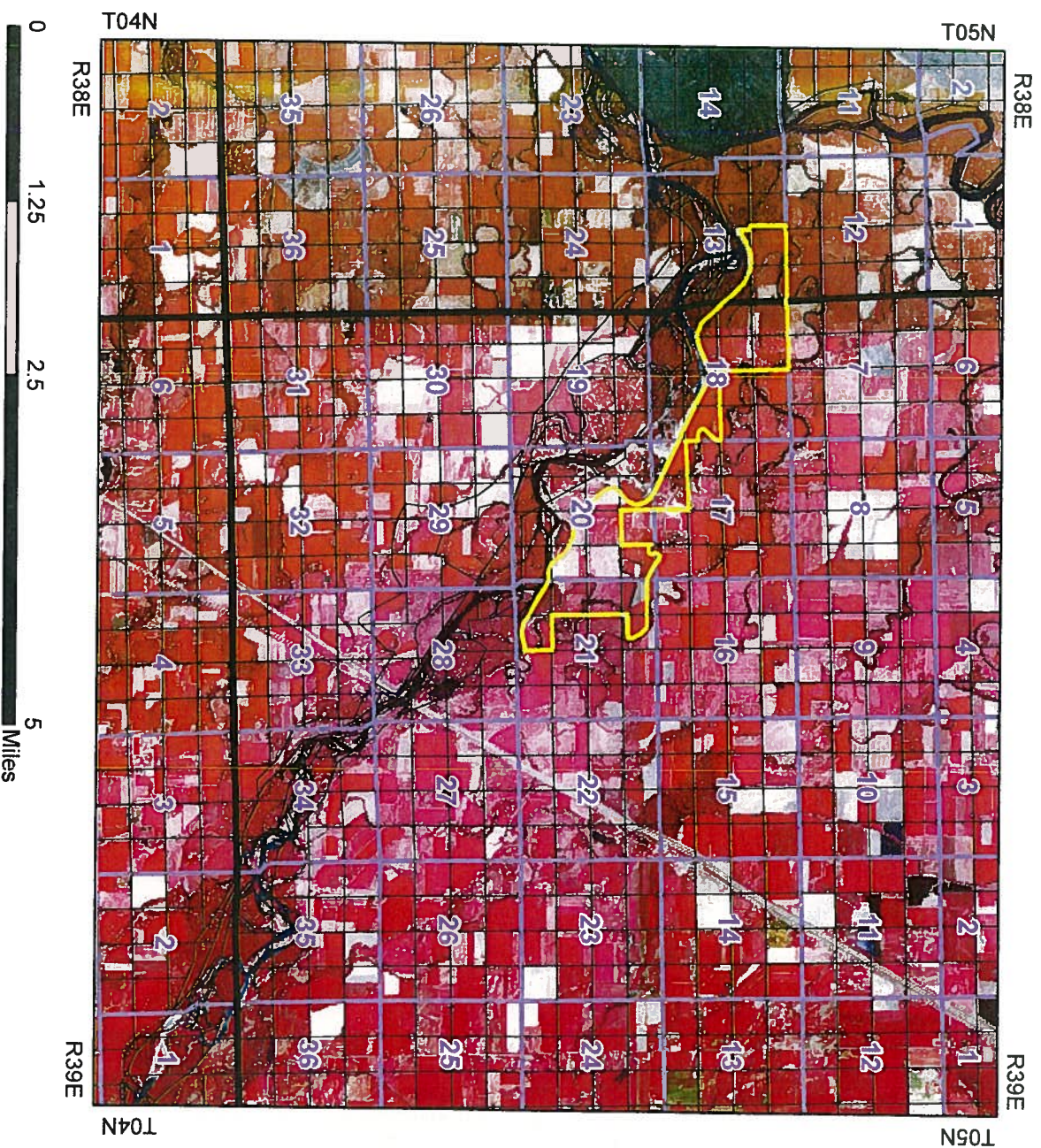
Legend

- Service Area
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Madison County
IDWR Basin 1

Prepared by Favreau, Danielle
On October 06, 2010
1987/88 Aerial Photography



CERTIFICATE OF SERVICE

I certify that on October 13, 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:

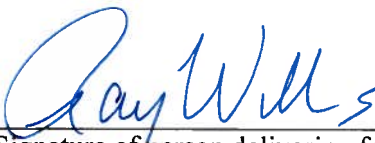
UNITED STATES OF AMERICA
Represented by:
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

BANNOCK JIM SLOUGH CANAL CO.
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250

MADISON COUNTY COURTHOUSE
P.O. BOX 389
REXBURG ID 83440-0389



Signature of person delivering form