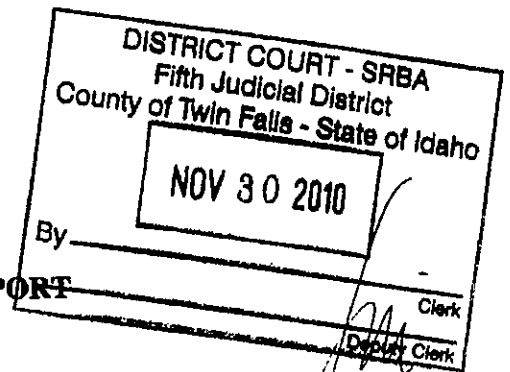




**AMENDED DIRECTOR'S REPORT**

**Subcase No. 37-12396**

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

November 30, 2010

## **DESCRIPTIVE SUMMARY**

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

## **DISCUSSION**

Pursuant to the Special Master's *Order Setting Deadlines and Status Conference* dated August 31, 2010, the Director submits this Amended Director's Report for subcase 37-12396.

Respectfully submitted this 30<sup>th</sup> day of November, 2010.

  
CARTER FRITSCHLE  
Manager, Adjudication Section

11/19/2010

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

RIGHT NUMBER: 37-12396

NAME AND ADDRESS: WELLS FARGO BANK  
1740 BROADWAY  
7TH FLOOR MAC C7300-079  
DENVER CO 80274

SOURCE: DEMOCRAT GULCH  
LAMBS GULCH

TRIBUTARY: CROY CREEK  
TRIBUTARY: DEMOCRAT GULCH

QUANTITY: 10.000 CFS  
29.60 AFY

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

PRIORITY DATE: 08/23/1957

POINT OF DIVERSION:

T02N R18E S18 SWNW Within BLAINE County  
T02N R18E S18 SWNW Lot 2 Injection Within BLAINE County  
T02N R18E S18 SWNW Lot 2 Within BLAINE County  
T02N R18E S18 NESWNW Lot 2 Rediversion Within BLAINE County  
T02N R18E S18 SESE Lot 5 Within BLAINE County  
The point of diversion described as T02N R18E S18 SWNW is located on the west channel of Lambs Gulch.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION STORAGE      | 01/01 12/31          | 29.60 AFY       |
| IRRIGATION FROM STORAGE | 04/15 10/31          | 29.60 AFY       |
| RECREATION STORAGE      | 01/01 12/31          | 29.60 AFY       |
| DIVERSION TO STORAGE    | 01/01 12/31          | 10.000 CFS      |
| STOCKWATER              | 01/01 12/31          | 0.030 CFS       |

The 10 cfs flow rate represents diversion from the west channel of Lambs Gulch to the upper reservoir located in T02N, R18E W1/2 NW1/4 located on Democrat Gulch.

PLACE OF USE: IRRIGATION FROM STORAGE in BLAINE County

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T02N R18E S17 Lot 3 SWNW | 2.90  | T02N R18E S17 Lot 4 SENW | 23.00 |
| T02N R18E S17 NESW       | 8.60  | T02N R18E S17 NWSW       | 27.00 |
| T02N R18E S17 Lot 1 SWSW | 1.10  | T02N R18E S18 SWNE       | 15.00 |
| T02N R18E S18 NENW       | 1.20  | T02N R18E S18 SENW       | 27.00 |
| T02N R18E S18 NESW       | 1.20  | T02N R18E S18 NESE       | 21.00 |
| T02N R18E S18 NWSE       | 18.00 | T02N R18E S18 SWSE       | 17.00 |
| T02N R18E S18 Lot 5 SESE | 22.00 |                          |       |

STOCKWATER in BLAINE County

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T02N R18E S17 Lot 3 | SWNW | T02N R18E S17 Lot 4 | SENW |
| T02N R18E S17       | NESW | T02N R18E S17       | NWSW |
| T02N R18E S17 Lot 1 | SWSW | T02N R18E S18       | SWNE |
| T02N R18E S18       | NENW | T02N R18E S18       | SENW |
| T02N R18E S18       | NESW | T02N R18E S18       | NESE |
| T02N R18E S18       | NWSE | T02N R18E S18       | SWSE |
| T02N R18E S18 Lot 5 | SESE |                     |      |

RECREATION STORAGE in BLAINE County

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T02N R18E S18 Lot 1 | NWNW | T02N R18E S18 Lot 2 | SWNW |
| T02N R18E S18       | NESE | T02N R18E S18 Lot 5 | SESE |

185 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

## CERTIFICATE OF SERVICE

I certify that on Nov. 30, 2010, I caused to be served a true and correct copy of this Amended Director's Report, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☒ Facsimile

2. Copies to:

Chief, Natural Resources Div.  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

United States Department of Justice  
Environment & Natural Resources Div.  
550 W. Fort Street MSC 033  
Boise, ID 83724

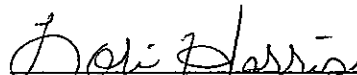
☐ Overnight Mail  
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Blaine County Courthouse  
201 2<sup>nd</sup> Ave S. Ste 110  
Hailey, ID 83333

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

Linda B. Jones  
Kevin C. Braley  
Holland & Hart LLP  
P.O. Box 2527  
Boise, ID 83702

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☐ Hand-Delivered  
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\_\_\_\_\_  
Signature of person delivering form