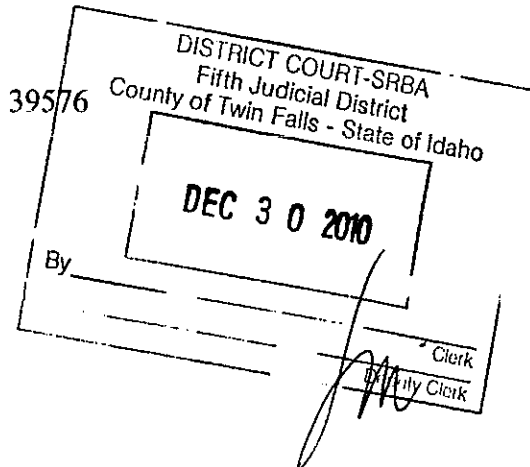


AMENDED DIRECTOR'S REPORTS

Subcase Nos. 22-265E, 22-594, 22-13479, 22-13557, 22-13558, 22-13987 & 22-13988

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

December 28, 2010

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Order Vacating Trial and Setting Deadlines and Scheduling Conference* issued by Special Master Bilyeu on December 20, 2010, the Director submits the attached Amended Director's Reports for filing with the Court. No changes have been made to the digital boundary of water right number 22-594, thus no updated compact disks or maps are being provided with this filing.


Carter Fritschle
Manager, Adjudication Section

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
22-265E	DKJ FARMS LLC 665 CENTENNIAL LOOP REXBURG ID 83440	Disallowed	Recommended as 22-13987 and 22-13988.

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

RIGHT NUMBER: 22-594

NAME AND ADDRESS: WOODMANSEE JOHNSON CANAL CO
C/O O RUSSELL WILDING
3560 E 3000 N
SUGAR CITY ID 83448

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 6.400 CFS

The amount of water diverted under this water right at the point of diversion in T5N, R41E, Sec. 21 SENW may not exceed 2.00 cfs.

PRIORITY DATE: 03/15/1881

POINT OF
DIVERSION:

T05N R41E S21 SENW Within MADISON County
T06N R40E S11 NESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 06/20	6.400 CFS
	06/21 10/31	3.200 CFS

PLACE OF USE:

1982.2 ACRES TOTAL

Place of use is within the area served by Woodmansee Johnson Canal Company.

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.

The rights listed below are limited to the irrigation of a combined total of 720 acres in a single irrigation season. Combined Right Nos.: 22-591, 22-592, 22-593, and 22-594.

The rights listed below are limited to the irrigation of a combined total of 1841.7 acres in a single irrigation season. Combined Right Nos.: 22-354, 22-421, 22-476, 22-591, 22-592, 22-593, and 22-594.

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

Water is delivered through Woodmansee Johnson Canal and Jeppesen Pump.

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

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

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

RIGHT NUMBER: 22-13479

NAME AND ADDRESS: DKJ FARMS LLC
665 CENTENNIAL LOOP
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.100 CFS

The rights listed below are limited to a total combined diversion rate of 8.00 cfs from 04/01 to 06/20 which is reduced to 7.85 cfs from 06/21 to 10/31. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

PRIORITY DATE: 05/01/1980

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T05N R41E S21 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		3.100 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>				
	T05N R41E S16	SESW	31.00	T05N R41E S20	NENE 40.00
	T05N R41E S20	NWNE	40.00	T05N R41E S20	SWNE 40.00
	T05N R41E S20	SENE	40.00	T05N R41E S20	SWNW 40.00
	T05N R41E S20	SENW	40.00	T05N R41E S20	NESW 40.00
	T05N R41E S20	NWSW	36.00	T05N R41E S20	NESE 40.00
	T05N R41E S20	NWSE	40.00	T05N R41E S21	NENW 23.00
	T05N R41E S21	NWNW	39.00	T05N R41E S21	SWNW 36.00
	T05N R41E S21	SENW	2.70	T05N R41E S21	NWSW 20.00

547.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 547.7 acres in a single irrigation season. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right Nos. 22-4195, 22-13987, and 22-13988 pursuant to Section 42-1426, Idaho Code.

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

The following rights are diverted through point of diversion described above: 22-594, 22-4195, 22-13479, 22-13987, and 22-13988.

This right is for an enlargement of 155 acres within the place of use described for this right.

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

RIGHT NUMBER: 22-13558

NAME AND ADDRESS: SON RISE INC
C/O JAMES WOOD
PO BOX 610
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/10/1907

POINT OF
DIVERSION:

T06N R41E S20 SENE End of Stream Flow Within MADISON County
T06N R41E S21 NWSW Begin of Stream Flow Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in MADISON County

T06N R41E S20	SENE	T06N R41E S20	NESE
T06N R41E S21	NWSW		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right 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

Stockwater use is for 100 head of livestock.

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

RIGHT NUMBER: 22-13987

NAME AND ADDRESS: DKJ FARMS LLC
665 CENTENNIAL LOOP
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 4.000 CFS

The rights listed below are limited to a total combined diversion rate of 8.00 cfs from 04/01 to 06/20 which is reduced to 7.85 cfs from 06/21 to 10/31. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

PRIORITY DATE: 03/15/1879

POINT OF
DIVERSION:

T05N R41E S21 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 06/20	4.000 CFS
	06/21 10/31	2.000 CFS

PLACE OF USE: IRRIGATION in MADISON County

T05N R41E S16	SESW	31.00	T05N R41E S20	NENE	40.00
T05N R41E S20	NWNE	40.00	T05N R41E S20	SWNE	40.00
T05N R41E S20	SENE	40.00	T05N R41E S20	SWNW	40.00
T05N R41E S20	SENW	40.00	T05N R41E S20	NESW	40.00
T05N R41E S20	NWSW	36.00	T05N R41E S20	NESE	40.00
T05N R41E S20	NWSE	40.00	T05N R41E S21	NENW	23.00
T05N R41E S21	NWNW	39.00	T05N R41E S21	SWNW	36.00
T05N R41E S21	SENW	2.70	T05N R41E S21	NWSW	20.00

547.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 547.7 acres in a single irrigation season. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

This right is limited to the irrigation of 85 acres within the place of use described above in a single irrigation season.

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

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

Use of this right is combined with water from Woodmansee Johnson Canal Co.

This right is old Right No. 22-265B.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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

Right No. 22-13479 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The following rights are diverted through point of diversion described above: 22-594, 22-4195, 22-13479, 22-13987, and 22-13988.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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

RIGHT NUMBER: 22-13988

NAME AND ADDRESS: DKJ FARMS LLC
665 CENTENNIAL LOOP
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 4.000 CFS
288.00 AFY

The rights listed below are limited to a total combined diversion rate of 8.00 cfs from 04/01 to 06/20 which is reduced to 7.85 cfs from 06/21 to 10/31. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

PRIORITY DATE: 03/15/1879

POINT OF
DIVERSION:

T05N R41E S21 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 06/20	4.000 CFS
	06/21 10/31	2.000 CFS

PLACE OF USE: IRRIGATION in MADISON County

T05N R41E S16	SESW	31.00	T05N R41E S20	NENE	40.00
T05N R41E S20	NWNE	40.00	T05N R41E S20	SWNE	40.00
T05N R41E S20	SENE	40.00	T05N R41E S20	SWNW	40.00
T05N R41E S20	SENW	40.00	T05N R41E S20	NESW	40.00
T05N R41E S20	NWSW	36.00	T05N R41E S20	NESE	40.00
T05N R41E S20	NWSE	40.00	T05N R41E S21	NENW	23.00
T05N R41E S21	NWNW	39.00	T05N R41E S21	SWNW	36.00
T05N R41E S21	SENW	2.70	T05N R41E S21	NWSW	20.00

547.7 ACRES TOTAL

This right is limited to the irrigation of 115 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 547.7 acres in a single irrigation season. Combined Right Nos.: 22-4195, 22-13479, 22-13987, and 22-13988.

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

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

Right No. 22-13479 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The following rights are diverted through point of diversion described above: 22-594, 22-4195, 22-13479, 22-13987, and 22-13988.

This right is old Right No. 22-265D.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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

Use of this right is combined with water from Woodmansee Johnson Canal Co.

CERTIFICATE OF SERVICE

I certify that on December 29 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

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

MILNER IRRIGATION DISTRICT
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

AMERICAN FALLS RESERVOIR DIST.

Represented by:
C. THOMAS ARKOOSH
CAPITOL LAW GROUP, PLLC
301 MAIN ST.
P.O. BOX 32
GOODING, ID 83330

DKJ FARMS
DKJ FARMS, LLC
FREMONT MADISON IRRIGATION DIST.
WOODMANSEE JOHNSON CANAL CO.

Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

GEORGE BROWN
JAMES WOOD
Represented by:
JOSEPH F. BROWN
4094 S. FEDERAL WAY, STE. K102
BOISE, ID 83716

IGWA, INC
Represented by:
RANDALL C. BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

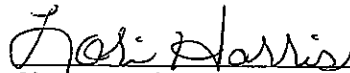
A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
Represented by:
ROGER D. LING
615 H ST.
P.O. BOX 396
RUPERT, ID 83350-0396

NORTH SIDE CANAL CO, LTD
TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L. THOMPSON
113 MAIN AVE W, STE 303
P.O. BOX 485

TWIN FALLS, ID 83303-0485

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT
Represented by:
W. KENT FLETCHER
1200 OVERLAND AVE.
P.O. BOX 248
BURLEY, ID 83318



Signature of person delivering form