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AMENDED DIRECTOR'S REPORT

Subcase No. 22-13955

In Re SRBA
Twin Falls County Civil Case No. 39576

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 28 2011

By _____

Clerk

Deputy Clerk

Report to the SRBA District Court

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

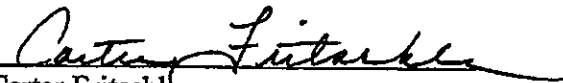
January 28, 2011

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 Setting Deadlines* issued by Special Master Bilyeu on January 13, 2011, the Interim Director submits the attached Amended Director's Report for filing with the Court.


Carter Fritschle
Manager, Adjudication Section

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

RIGHT NUMBER: 22-13955

NAME AND ADDRESS: SUMMERCO INC
27 N 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.100 CFS

Right Nos. 22-2258A and 22-13955 are limited to a total combined diversion rate of 3.1 cfs and to a total combined annual diversion volume of 542.5 AF.

PRIORITY DATE: 06/01/1968

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:

T06N R40E S26 SENWNE Within MADISON County
T06N R40E S26 NESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

3.100 CFS

PLACE OF USE:

IRRIGATION in MADISON County

T06N R40E S22	NENE	5.20	T06N R40E S22	SWNE	1.60
T06N R40E S22	SENE	31.00	T06N R40E S22	NESE	36.00
T06N R40E S22	NWSE	8.40	T06N R40E S22	SWSE	4.80
T06N R40E S22	SESE	37.00	T06N R40E S23	NENE	12.00
T06N R40E S23	SWNE	4.00	T06N R40E S23	SENE	39.00
T06N R40E S23	SWSW	40.00	T06N R40E S23	SESW	40.00
T06N R40E S23	NESE	39.00	T06N R40E S23	NWSE	21.00
T06N R40E S23	SWSE	39.00	T06N R40E S23	SESE	39.00
T06N R40E S24	NESE	35.00	T06N R40E S24	NWSE	18.00
T06N R40E S24	SESE	26.00	T06N R40E S24	SESE	39.00
T06N R40E S25	NENE	40.00	T06N R40E S25	NWNE	24.00
T06N R40E S25	SWNE	29.00	T06N R40E S25	SENE	38.00
T06N R40E S25	NESW	29.00	T06N R40E S25	NWSW	40.00
T06N R40E S25	SWSW	39.00	T06N R40E S25	SESW	38.00
T06N R40E S25	NESE	12.00	T06N R40E S25	NWSE	39.00
T06N R40E S25	SWSE	15.00	T06N R40E S26	NENE	40.00
T06N R40E S26	NWNE	40.00	T06N R40E S26	SWNE	40.00
T06N R40E S26	SENE	40.00	T06N R40E S26	NENW	40.00

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T06N R40E S26	NWNW	39.00	T06N R40E S26	SWNW	40.00
T06N R40E S26	SESW	40.00	T06N R40E S26	NESW	40.00
T06N R40E S26	NWSW	39.00	T06N R40E S26	SWSW	39.00
T06N R40E S26	SESW	40.00			

1335 ACRES TOTAL

Right Nos. 22-2258A, 22-2295, 22-10646, 22-10777 and 22-13955 are limited to the irrigation of a combined total of 1335 acres 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.

This right is based upon an enlargement of Right No. 22-2258A pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is for an enlargement of 158 acres within the place of use described for this right.

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

CERTIFICATE OF SERVICE

I certify that on January 24, 2011, 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:

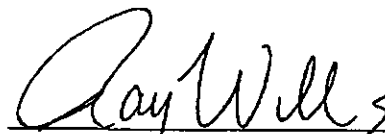
UNITED STATES OF AMERICA
Represented by:
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

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



Signature of person delivering form