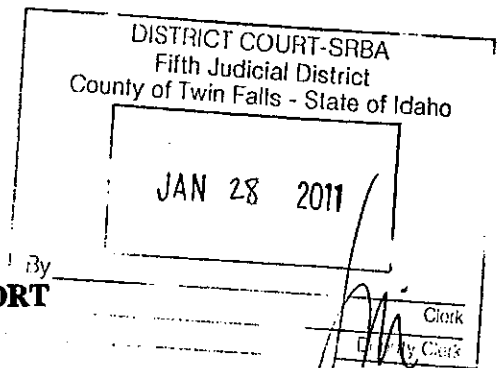




AMENDED DIRECTOR'S REPORT

Subcase No. 37-82

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

January 28, 2011

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 oral *Order Setting Deadlines* of January 5, 2010, the Director submits the attached Amended Director's Report for subcase 37-82.

Respectfully submitted this 28th day of January, 2011.


CARTER FRITSCHLE
Manager, Adjudication Section

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

RIGHT NUMBER: 37-82

NAME AND ADDRESS: LANE RANCH HOMEOWNERS ASSN INC
C/O SUSAN MCBRYANT, MANAGER
PO BOX 1675
SUN VALLEY ID 83353

IDAHO FOUNDATION FOR PARKS & LANDS INC
5657 WARM SPRINGS AVE
BOISE ID 83716-8700

SOURCE: ELKHORN CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.200 CFS

The amount of water under Right Nos. 37-81 and 37-82 to be discharged to the river shall equal the amount diverted for aesthetic, recreation and wildlife purposes, less a reasonable loss for evaporation and seepage as determined by the Director or watermaster.

Water consumed under Transfer No. 3881 by diverting water for wildlife, aesthetic and recreation uses shall not exceed 3.3 acre feet from evaporation.

The total annual volume of water authorized for diversion and use pursuant to this right shall not begin to accrue until: a) all rights on Elkhorn Creek cannot be satisfied by the watermaster of Water District No. 37, Big Wood River, and b) the right holder calls for water from the upstream users.

Right Nos. 37-81 and 37-82, when combined, shall not exceed a total flow rate of 0.71 cubic feet per second nor an annual volume of 69.9 acre feet for irrigation purposes.

PRIORITY DATE: 06/01/1884

Pursuant to a call in times of scarcity, this right shall be administered separately from the Big Wood River and its tributaries.

POINT OF
DIVERSION:

T04N R18E S19 SESE Within BLAINE County

T04N R18E S20 NWSW Within BLAINE County

Flow measuring devices as specified by the department and/or watermaster shall be installed and maintained by the right holder at the following three (3) locations: a) at the points where water is diverted from the Big Wood River and/or Elkhorn Creek, b) at the point where 0.03 cfs is rediverted to the identified ponds, and c) at a point where water diverted under Right Nos. 37-81 and 37-82 is returned to the Big Wood River.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	01/01 12/31	1.200 CFS
WILDLIFE	01/01 12/31	1.200 CFS
IRRIGATION	04/15 10/31	0.710 CFS
AESTHETIC	01/01 12/31	1.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19	NESE	3.70	T04N R18E S19	SWSE	3.50
T04N R18E S19	SESE	5.60	T04N R18E S20	NWSW	3.10
T04N R18E S29	NWNW	0.50	T04N R18E S30	NENE	6.90

WILDLIFE in BLAINE County

T04N R18E S30 NENE

RECREATION same as WILDLIFE

AESTHETIC same as WILDLIFE

23.3 ACRES TOTAL

Right Nos. 37-81 and 37-82 are limited to the irrigation of a combined total of 23.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under right no. 37-82 will be regulated by the watermaster of state water district no. 37.

Failure of the right holder to comply with the conditions of Transfer No. 3881 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer No. 3881 by December 9, 1994.

CERTIFICATE OF SERVICE

I certify that on 1-28, 2011, 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
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Blaine County Courthouse
201 2ND Ave. S Ste 110
Hailey, ID 83333

☐ Overnight Mail
☒ Regular Mail
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Charles F. McDevitt
McDevitt & Miller
P.O. Box 2564
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☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

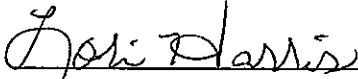
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Signature of person delivering form