

1630

AMENDED DIRECTOR'S REPORT

Subcase No. 21-27A

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NOV 30 2011
DEPARTMENT OF
WATER RESOURCES

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, Water Rights Adjudication Section Manager

November 30, 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 *Order Granting Motion Amend Claims and Setting New Deadlines* issued by Special Master Bilyeu on September 6, 2011, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

A handwritten signature in cursive script, reading "Carter Fritschle", written in black ink.

Carter Fritschle
Adjudication Section Manager

CERTIFICATE OF SERVICE

I certify that on NOV 30, 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:

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

AMERICAN FALLS RESERVOIR
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330

FREMONT-MADISON IRRIGATION
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250

NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

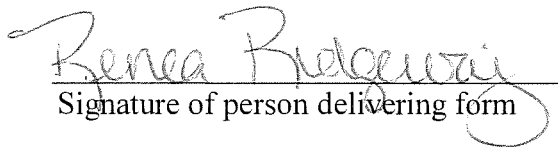
Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resource
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Fremont County Courthouse
151 W 1st N Rm 15
St. Anthony, ID 83445


Signature of person delivering form

RIGHT NUMBER: 21-27A

SOURCE: SHERIDAN CREEK TRIBUTARY: HENRYS FORK

The redirection of water from Henrys Fork is limited to those times water is available for diversion under this right from the point of diversion on Sheridan Creek.

QUANTITY: 3.000 CFS

PRIORITY DATE: 05/10/1889

T07N	R40E	S1	SENE	Lot 8	Rediversion Within	FREMONT	County
T07N	R40E	S1	SENW	Lot 6	Rediversion Within	FREMONT	County
T07N	R40E	S2	NESE	Lot 6	Rediversion Within	FREMONT	County
T07N	R40E	S10	NESE	Lot 25	Rediversion Within	FREMONT	County
T08N	R41E	S12	SENE		Rediversion Within	FREMONT	County
T08N	R41E	S14	NWSE	Lot 4	Rediversion Within	FREMONT	County
T08N	R41E	S32	SESW	Lot 2	Rediversion Within	FREMONT	County
T08N	R41E	S33	NWNE		Rediversion Within	FREMONT	County
T08N	R41E	S33	NENW	Lot 7	Rediversion Within	FREMONT	County
T12N	R41E	S1	SWNW	Lot 4	Within	FREMONT	County
T12N	R41E	S1	SWNW	Lot 4	Injection Within	FREMONT	County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	3.000 CFS

PLACE OF USE:

Place of use is within the boundary of Fremont Madison Irrigation District pursuant to Section 43-323, Idaho Code.

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.

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

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

This right is limited to the irrigation of 153.7 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.

The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho Constitutional and Statutory Law, title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

Prior to each irrigation season the right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary designating the amount of this water right to be diverted from each point of redirection.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Dewey Canal, Last Chance Canal, Farmers Friend Canal, Twin Groves Canal, St. Anthony Union Canal, St. Anthony Union Feeder Canal, Salem Union Canal, Egin Canal, Independent Canal, and Consolidated Farmers Canal.

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