

AMENDED DIRECTOR'S REPORT

Subcase No. 31-12181

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

March 29, 2012

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 Granting Motion to File Amended Claim and Setting Subcase Deadlines* dated February 23, 2012, the Director submits the attached Amended Director's Report for subcase 31-12181.

Respectfully submitted this 29th day of March, 2012.


CARTER FRITSCHLE
Manager, Adjudication Section

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

RIGHT NUMBER: 31-12181

NAME AND ADDRESS: MUD LAKE WATER USERS, INC
PO BOX 68
TERRETON ID 83450

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 617.000 CFS

PRIORITY DATE: 05/05/1969

This water right is subordinated to all existing and future consumptive use water rights.

POINT OF
DIVERSION:

T11N R38E S25 SESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
GROUND WATER RECHARGE	01/01 12/31	617.000 CFS
Recharge is for the dispersal of surface water runoff which may threaten the structural integrity of the Mud Lake levee located downstream.		

PLACE OF USE: GROUND WATER RECHARGE in CLARK County

T10N R38E S01 Lot 1 NENE	T10N R38E S01	SENE
T10N R38E S10 SESW	T10N R38E S10	SWSE
T10N R38E S10 SESE	T10N R38E S13	NENE
T10N R38E S13 SENE	T10N R38E S13	NESE
T10N R38E S13 NWSE	T10N R38E S13	SWSE
T10N R38E S14 SWSW	T10N R38E S14	SESW
T10N R38E S14 SWSE	T10N R38E S14	SESE
T10N R38E S15 NENE	T10N R38E S15	SENE
T10N R38E S15 NENW	T10N R38E S15	NWNW
T10N R38E S15 NESE	T10N R38E S15	SESE
T10N R38E S23 NENE	T10N R38E S24	NWNE
T10N R38E S24 NENW	T10N R38E S24	NWNW
T10N R38E S24 SWNW	T10N R38E S24	SENW
T10N R39E S05 Lot 2 NWNE	T10N R39E S05	SWNE
T10N R39E S05 SENE	T10N R39E S05 Lot 3	NENW
T10N R39E S05 Lot 4 NWNW	T10N R39E S05	SENW
T10N R39E S05 NESE	T10N R39E S05	SWSE
T10N R39E S05 SESE	T10N R39E S06 Lot 1	NENE
T10N R39E S06 Lot 2 NWNE	T10N R39E S06	SWNE
T10N R39E S06 SENE	T10N R39E S06 Lot 4	SENW

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

T10N R39E S06 Lot 5	NESW	T10N R39E S06	NWSE
T10N R39E S06	SWSE	T10N R39E S06	SESE
T10N R39E S07	NENE	T10N R39E S07	SWNE
T10N R39E S07	SENE	T10N R39E S07	NESE
T10N R39E S07	NWSE	T10N R39E S07	SESE
T10N R39E S08	NWNE	T10N R39E S08	SWNE
T10N R39E S08	SWSW	T10N R39E S08	SESW
T10N R39E S08	NWSE	T10N R39E S08	SWSE
T10N R39E S18	NENE	T10N R39E S18	NWNE
T10N R39E S18 Lot 1	NENW	T10N R39E S18 Lot 2	SENW
T11N R38E S25	SWSE	T11N R38E S25	SESE
T11N R38E S36	NWNE	T11N R38E S36	NENW
T11N R38E S36	SENW	T11N R38E S36	NESW
T11N R38E S36	NWSE	T11N R38E S36	SWSE
T11N R38E S36	SESE		

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.

Water diverted under this right may not be considered as recharge which qualifies for mitigation or compensation to other groundwater users, surface water users, or other entities, unless approved by the Director of the Idaho Department of Water Resources pursuant to applicable Idaho law.

Water diverted under this right may not be offered as mitigation for new appropriations of water.

The exercise of this right is subject to the water right holder obtaining and maintaining federal land use authorization and a State of Idaho land use easement and/or access permit for access and maintenance of the conveyance works located on State and federal lands.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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. 31.

Water is delivered through Lone Tree Diversion Canal.

As of the date of the partial decree of this water right, federal authorization for maintenance of the conveyance works located on federal land is evidenced by BLM right-of-way IDI-37237.

As of the date of the partial decree of this water right, State of Idaho authorization for maintenance of the conveyance works located on State land is evidenced by permit No. LU-80 0559 which expires on December 31, 2013.

CERTIFICATE OF SERVICE

I certify that on March 29, 2012, 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

Clark County Courthouse
320 W. Main
P.O. Box 205
Dubois, ID 83423

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

Robert L. Harris
Holden Kidwell Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83405-0130

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☒ Regular Mail
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Signature of person delivering form