

AMENDED DIRECTOR'S REPORT

Subcase No. 21-12358

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

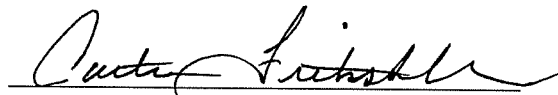
May 25, 2012

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 Resetting Pretrial Conference and Trial Date and Setting Status Conferences and Informal Settlement Conference* issued by Special Master Bilyeu on April 9, 2012, the Interim Director submits the attached Amended Director's Report for filing with the Court.

A handwritten signature in black ink, appearing to read "Carter Fritschle", is written over a horizontal line.

Carter Fritschle
Manager, Adjudication Section

05/25/2012

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

RIGHT NUMBER: 21-12358

NAME AND ADDRESS: S LYNN LOOSLI
3140 E 1100 N
ASHTON ID 83420

PORTIA R LOOSLI
3140 E 1100 N
ASHTON ID 83420

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 3.200 CFS
962.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

The rights listed below are limited to a total combined diversion rate of 7.02 cfs. Combined Right Nos.: 21-41G, 21-51B, 21-12358, 21-12977, and 21-12978.

PRIORITY DATE: 04/01/1948

POINT OF
DIVERSION:

T08N R41E S13 SENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	3.200 CFS 962.50 AFY

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12	SWSE	6.40	T08N R41E S12	SESE	6.80
T08N R41E S13	NENE	40.00	T08N R41E S13	NWNE	37.00
T08N R41E S13	SWNE	36.00	T08N R41E S13	SENE	38.00
T08N R41E S13 Lot 3	SWNW	31.00	T08N R41E S13	SENW	40.00
T08N R41E S13 Lot 5	NESW	13.00	T08N R41E S13 Lot 4	NWSW	20.00
T08N R41E S14 Lot 1	NESE	10.00			

278.2 ACRES TOTAL

This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.

Amended Director's Report

Use of the rights listed below is limited to the irrigation of a combined total of 278.2 acres in a single irrigation season. Combined Right Nos.: 21-12358, 21-41G, 21-51B, 21-12977, and 21-12978.

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

Each year prior to commencing diversion and use of water from the well, the rightholder shall obtain the expressed written certification of the Water District No. 1 watermaster that the rightholder has dedicated and assigned 275 acre feet of stored water for use by the watermaster to release into Henrys Fork River to mitigate depletion of river flow resulting from diversion of ground water when this right is not in priority. Operation of the well at any time without the written certification of the watermaster shall be a violation of Section 42-351, 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 right holder shall accomplish the change authorized by transfer 4456 within one year of the date of the approval.

Use of water under this right may be affected by the provisions of that certain agreement between the rightholder and others dated December 12, 1994, to the extent that the provisions of said agreement can lawfully be implemented.

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.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Failure of the right holder to comply with the conditions of transfer 4456 is cause for the Director to rescind approval of the transfer.

CERTIFICATE OF SERVICE

I certify that on May 29, 2012, 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:

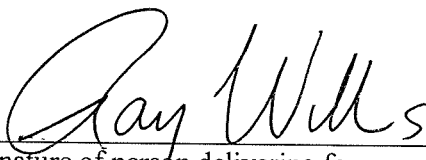
1. Original to:

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:

FREMONT-MADISON IRRIGATION S. LYNN LOOSLI PORTA R. LOOSLI Represented by: JERRY R. RIGBY 25 N. 2 ND E. P.O. BOX 250 REXBURG, ID 83440-0250	USDI BUREAU OF RECLAMATION Represented by: US DEPARTMENT OF JUSTICE ENVIRONMENT & NATURAL RESOURCES 550 WEST FORT STREET, MSC 033 BOISE, ID 83724
FREMONT COUNTY COURTHOUSE 151 W. 1 ST N. ROOM 15 ST ANTHONY, ID 83445	DIRECTOR OF IDWR P.O. BOX 83720 BOISE, ID 83720-0098
A & B IRRIGATION DISTRICT BURLEY IRRIGATION DISTRICT Represented by: ROGER D LING 615 H ST PO BOX 396 RUPERT, ID 83350-0396	MILNER IRRIGATION DISTRICT 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
MILNER IRRIGATION DISTRICT Represented by: JOHN K SIMPSON 1010 W JEFFERSON, STE 102 PO BOX 2139 BOISE, ID 83701-2139	STATE OF IDAHO Represented by: NATURAL RESOURCES DIV CHIEF STATE OF IDAHO ATTORNEY GENERAL'S OFFICE PO BOX 44449 BOISE, ID 83711-4449



Signature of person delivering form