

AMENDED DIRECTOR'S REPORT

Subcase Nos. 47-39B and 47-44B

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, Director
Carter Fritschle, Manager, Adjudication Section

December 28, 2012

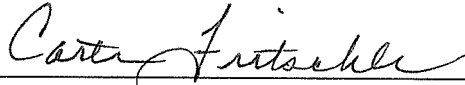
DESCRIPTIVE SUMMARY

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 Leave to File Amended Notices of Claim; Order Requesting Amended Director's Reports and Setting Deadlines*, dated December 5, 2012, the Director submits the attached Amended Director's Reports for subcases 47-39B and 47-44B.

Respectfully submitted this 28th day of December, 2012.

A handwritten signature in cursive script, reading "Carter Fritschle", written over a horizontal line.

CARTER FRITSCHLE
Manager, Adjudication Section

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

RIGHT NUMBER: 47-39B

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

SOURCE: HOUSE CREEK SPRINGS TRIBUTARY: CEDAR CREEK
TRIBUTARY: HOUSE CREEK

QUANTITY: 0.180 CFS

PRIORITY DATE: 05/01/1893

POINT OF
DIVERSION: T15S R13E S18 SENWSE Within TWIN FALLS County
T15S R13E S19 SWNE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 10/01	0.180 CFS

PLACE OF
USE: STOCKWATER in OWYHEE County and TWIN FALLS County

T10S R10E S12	NWNW	T10S R10E S15	SESE
T10S R10E S20	SESE	T10S R10E S20	SESE
T10S R10E S22	SESE	T10S R10E S25	SESE
T10S R10E S27	SWSW	T10S R10E S29	SWNE
T10S R10E S32	NESE	T10S R10E S33	NWNE
T10S R10E S33	SWNW	T10S R10E S33	SESE
T10S R11E S01 Lot 4	NWNW	T10S R11E S02 Lot 4	NWNW
T10S R11E S04	SWSE	T10S R11E S05	SWSE
T10S R11E S10	SESE	T10S R11E S20	SESE
T10S R11E S23	NWNE	T10S R11E S27	NENW
T10S R11E S28	NESE	T10S R12E S15	SESE
T10S R12E S21	SESE	T11S R10E S02	SESE
T11S R10E S05	NESE	T11S R10E S05	SESE
T11S R10E S08	SESE	T11S R10E S11	SWSE
T11S R10E S12	NESE	T11S R10E S14	NWNE
T11S R10E S14	SWSE	T11S R10E S16	NESW
T11S R10E S17	SESE	T11S R10E S21	SESE
T11S R10E S23	NWSE	T11S R10E S24	NESE
T11S R10E S25	SESE	T11S R10E S26	NESE
T11S R10E S27	NESW	T11S R10E S28	SESE
T11S R10E S33	NWNE	T11S R10E S35	NENE
T11S R11E S04	SESE	T11S R11E S08	NESW
T11S R11E S14	SESE	T11S R11E S15	SESE
T11S R11E S16	SWSE	T11S R11E S18 Lot 3	NWSW
T11S R11E S20	NENE	T11S R11E S27	NESW
T11S R12E S04	SESE	T11S R12E S05 Lot 2	NWNE
T11S R12E S08	SESE	T11S R12E S10	NWSW
T11S R12E S16	NENE	T11S R12E S21	SESE
T11S R12E S22	NESW	T11S R12E S30 Lot 4	SWSW
T11S R12E S34	SESE	T11S R12E S34	SWSE

T12S R10E S03	NWSE	T12S R10E S11	NWSW
T12S R10E S12	NENE	T12S R10E S25	SWSW
T12S R10E S25	NESE	T12S R10E S26	SESW
T12S R10E S27	SESE	T12S R11E S01	SENE
T12S R11E S05	SENE	T12S R11E S13	NWNE
T12S R11E S16	SWNE	T12S R11E S16	SENE
T12S R11E S16	SESE	T12S R11E S18	NENW
T12S R11E S18	SWSE	T12S R11E S27	NWNW
T12S R11E S30	SWNE	T12S R12E S15	SENE
T12S R12E S15	NWSW	T12S R12E S21	NWSW
T12S R12E S30	NESW	T12S R12E S32	SESW
T13S R10E S12	SENW	T13S R10E S12	SESE
T13S R10E S13	NESE	T13S R10E S24	SENE
T13S R11E S03 Lot 3	NENW	T13S R11E S07	NESW
T13S R11E S08	SWNE	T13S R11E S10	SENW
T13S R11E S11	NESW	T13S R11E S14	NWSE
T13S R11E S17	SWSE	T13S R11E S18	SENE
T13S R11E S21	SESE	T13S R11E S23	NESW
T13S R11E S29	NENE	T13S R11E S29	NWNW
T13S R11E S30 Lot 2	SWNW	T13S R11E S33	NENE
T13S R11E S34	NWSE	T14S R11E S01	SWSE
T14S R11E S03	SESW	T14S R11E S04 Lot 7	SWSW
T14S R11E S04	SESE	T14S R11E S10	SWNE
T14S R11E S11	SWSE	T14S R11E S12	SESW
T14S R11E S13	NWNW	T14S R11E S14	NENE
T14S R11E S22	NWNW	T14S R11E S23	SESE
T14S R11E S25	NESW	T14S R11E S36	NENE
T14S R12E S07	SESW	T14S R12E S07	SESE
T14S R12E S32	NESE	T14S R12E S33	NESW
T14S R12E S34	SESW	T15S R12E S02	SWSE

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

The right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

Spring source is also locally known as Steel Springs.

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

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

RIGHT NUMBER: 47-44B

NAME AND ADDRESS: DEVIL CREEK RANCH INC
C/O RONDA K MACAW, PRESIDENT
5594 S BASALT AVE
BOISE ID 83716

SOURCE: HOUSE CREEK
SPRINGS

TRIBUTARY: CEDAR CREEK
TRIBUTARY: HOUSE CREEK

QUANTITY: 0.180 CFS

PRIORITY DATE: 04/15/1885

Use of water under transfer #2489 is junior to all water rights filed on or using Steel Springs, House and Cedar Creeks prior to the approval of transfer #2489 on 2/28/1983.

POINT OF
DIVERSION: T15S R13E S18 SENWSE Within TWIN FALLS County
T15s R13e S19 SWNE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	10/02 04/30	0.180 CFS

PLACE OF
USE:

STOCKWATER in OWYHEE County and TWIN FALLS County

T10S R10E S12	NWNW	T10S R10E S15	SESE
T10S R10E S20	SENE	T10S R10E S20	SESE
T10S R10E S22	SESE	T10S R10E S25	SESE
T10S R10E S27	SWSW	T10S R10E S29	SWNE
T10S R10E S32	NESE	T10S R10E S33	NWNE
T10S R10E S33	SWNW	T10S R10E S33	SENE
T10S R11E S01 Lot 4	NWNW	T10S R11E S02 Lot 4	NWNW
T10S R11E S04	SWSE	T10S R11E S05	SWSE
T10S R11E S10	SENE	T10S R11E S20	SENE
T10S R11E S23	NWNE	T10S R11E S27	NENW
T10S R11E S28	NESE	T10S R12E S15	SESE
T10S R12E S21	SESW	T11S R10E S02	SESW
T11S R10E S05	NESE	T11S R10E S05	SESE
T11S R10E S08	SENE	T11S R10E S11	SWSE
T11S R10E S12	NESE	T11S R10E S14	NWNE
T11S R10E S14	SWSE	T11S R10E S16	NESW
T11S R10E S17	SENE	T11S R10E S21	SENE
T11S R10E S23	NWSE	T11S R10E S24	NESE
T11S R10E S25	SESE	T11S R10E S26	NESE
T11S R10E S27	NESW	T11S R10E S28	SESE
T11S R10E S33	NWNE	T11S R10E S35	NENE
T11S R11E S04	SENE	T11S R11E S08	NESW
T11S R11E S14	SESE	T11S R11E S15	SENE
T11S R11E S16	SWSE	T11S R11E S18 Lot 3	NWSW
T11S R11E S20	NENE	T11S R11E S27	NESW
T11S R12E S04	SENE	T11S R12E S05 Lot 2	NWNE
T11S R12E S08	SENE	T11S R12E S10	NWSW

T11S R12E S16	NENE	T11S R12E S21	SESE
T11S R12E S22	NESW	T11S R12E S30 Lot 4	SWSW
T11S R12E S34	SESW	T11S R12E S34	SWSE
T12S R10E S03	NWSE	T12S R10E S11	NWSW
T12S R10E S12	NENE	T12S R10E S25	SWSW
T12S R10E S25	NESE	T12S R10E S26	SESW
T12S R10E S27	SESE	T12S R11E S01	SENE
T12S R11E S05	SENE	T12S R11E S13	NWNW
T12S R11E S16	SWNE	T12S R11E S16	SENE
T12S R11E S16	SESE	T12S R11E S18	NENW
T12S R11E S18	SWSE	T12S R11E S27	NWNW
T12S R11E S30	SWNE	T12S R12E S15	SENE
T12S R12E S15	NWSW	T12S R12E S21	NWSW
T12S R12E S30	NESW	T12S R12E S32	SESW
T13S R10E S12	SENW	T13S R10E S12	SESE
T13S R10E S13	NESE	T13S R10E S24	SENE
T13S R11E S03 Lot 3	NENW	T13S R11E S07	NESW
T13S R11E S08	SWNE	T13S R11E S10	SENW
T13S R11E S11	NESW	T13S R11E S14	NWSE
T13S R11E S17	SWSE	T13S R11E S18	SENE
T13S R11E S21	SESE	T13S R11E S23	NESW
T13S R11E S29	NENE	T13S R11E S29	NWNW
T13S R11E S30 Lot 2	SWNW	T13S R11E S33	NENE
T13S R11E S34	NWSE	T14S R11E S01	SWSE
T14S R11E S03	SESW	T14S R11E S04 Lot 7	SWSW
T14S R11E S04	SESE	T14S R11E S10	SWNE
T14S R11E S11	SWSE	T14S R11E S12	SESW
T14S R11E S13	NWNW	T14S R11E S14	NENE
T14S R11E S22	NWNW	T14S R11E S23	SESE
T14S R11E S25	NESW	T14S R11E S36	NENE
T14S R12E S07	SESW	T14S R12E S07	SESE
T14S R12E S32	NESE	T14S R12E S33	NESW
T14S R12E S34	SESW	T15S R12E S02	SWSE

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

Source is also locally known as Steel Springs.

CERTIFICATE OF SERVICE

I certify that on Dec. 28th, 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

Owyhee County Courthouse
P.O. Box 128
Murphy, ID 83650

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

Twin Falls County Courthouse
427 Shoshone St. N
P.O. Box 126
Twin Falls, ID 83301

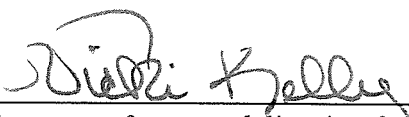
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Gray A. Young
J.R. Simplot Company
999 Main St., Ste 1300
P.O. Box 27
Boise, ID 83707-0027

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

Tyson Nelson
State of Idaho - Dept. of Lands
700 W. State St.
P.O. Box 44449
Boise, ID 83711-4449

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



Signature of person delivering form