

COPY

DISTRICT COURT - ORDA
TWIN FALLS CO., IDAHO
FILED _____

2007 JUN 13 PM 12 53

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No. 27-26A
)
)
)
)
)
)

STIPULATION TO RESOLVE
OBJECTION

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The Claimant, IDWR, United States Bureau of Indian Affairs and the Shoshone-Bannock Tribes agree and stipulate to the elements as changed in the attached document as indicated in underline/strikeout format.

The Claimant and IDWR acknowledge that there still remain outstanding objections by the Shoshone-Bannock Tribes and the objection by the United States Bureau of Indian Affairs to the lack of annual volume and any responses by the State of Idaho.

CLAIMANTS:

Deanna Stecklein
Deanna Stecklein Date

12-01-06

La Verelle Stecklein
La Verelle Stecklein Date

OBJECTORS:

Jeanette Wolfley 5/24/07
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

Peter C. Monson 6/4/07
Peter C. Monson, USDOJ Date
Attorney for BIA

RESPONDENT:

David J. Barber 6/7/2007
David J. Barber Date
Attorney for State of Idaho

IDWR Concurrence:

Ernest Carlsen 10-20-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 5/30/07
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR
GARRICK BAXTER

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

RIGHT NUMBER: 27-26A

NAME AND ADDRESS:

DEANNA STECKLEIN
757 W RIVERTON RD
BLACKFOOT ID 83221

LA VERELLE STECKLEIN
757 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: Source:
BLACKFOOT RIVER

Tributary:
SNAKE RIVER

QUANTITY: 0.330 CFS

PRIORITY DATE: 04/01/1983

POINT OF DIVERSION:

103S R35E S18 Lot 6 SWNE
Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.330 CFS

PLACE OF USE:

IRRIGATION within BINGHAM County

T03S R34E S13 SESE 35.0

T03S R34E S23 Lot 1 NWNE 7.2

T03S R34E S23 SWNE 40.0

T03S R34E S23 NENW 1.6

T03S R34E S23 Lot 2 SENW 38.0

T03S R34E S23 Lot 5 NESW 39.0

T03S R34E S23 Lot 4 NNSW 40.0

T03S R34E S23 Lot 4 SWSW 15.0

T03S R34E S23 Lot 5 SESW 4.1

T03S R34E S23 Lot 6 NWSE 30.0

T03S R34E S24 NWNE 21.0

T03S R34E S24 Lot 2 SWNE 17.0

T03S R35E S18 SENW 8.9

T03S R35E S18 Lot 5 NESW 21.0

~~T03S R34E S13 SWSW 38.0~~

~~T03S R34E S13 SESW 38.0~~

~~T03S R34E S13 SESE 36.0~~

~~T03S R34E S23 NWNE 7.0~~

~~T03S R34E S23 SENW 37.0~~

~~T03S R34E S23 NNSW 39.0~~

~~T03S R34E S23 NWSW 40.0~~

~~T03S R34E S23 SWSW 14.0~~

~~T03S R34E S23 SESW 3.0~~

~~T03S R34E S23 NWSE 30.0~~

~~T03S R34E S24 NWNE 20.0~~

~~T03S R34E S24 SWNE 18.0~~

~~T03S R35E S18 SENW 10.0~~

~~T03S R35E S18 NESW 20.0~~

~~T03S R35E S18 NWSW 10.0~~

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

T03S R35E S18 Lot 3 NWSW 38.0

T03S R35E S18 SWSW 38.0

T03S R35E S18 Lot 4 SWSW 28.0

T03S R35E S18 SESW 6.0

T03S R35E S18 Lot 4 SESW 3.5

387.3 ACRES TOTAL

466 ACRES TOTAL

ju

*DS
Z.S.
PCM
fB*

Use of the rights listed below is limited to the irrigation of a combined total of 387.3 acres in a single irrigation season. Combined right nos.: 27-2126, 27-25B, 27-26A, 27-12137, 27-37G, 27-10552, 27-10555 and 27-10557.

Use of the rights listed below is limited to the irrigation of a combined total of 466 acres in a single irrigation season. Combined right nos.: 27-2126, 27-2125A, 27-25B, 27-26A, 27-12137, 27-37G, 27-10552, 27-10555 and 27-10557.

EMC

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.

D/B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

WATER IS DELIVERED THROUGH RIVERTON DITCH

Use of this right is combined with water from Blackfoot Irrigation Co.

CERTIFICATE OF MAILING

I certify that on June 11, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, Idaho 83303-2707

2. Copies to:

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

UNITED STATES OF AMERICA

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

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

DEANNA STECKLEIN
LA VERELLE STECKLEIN
757 W RIVERTON RD
BLACKFOOT, ID 83221


Signature of Person or Attorney Mailing Form