

COPY

RECEIVED

MAR 27 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 26 2008

By

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

Clerk

Deputy Clerk

In Re SRBA

Subcase No. 55-2175

Case No. 39576

STANDARD FORM 5

AMENDED STIPULATED ELEMENTS
OF A WATER RIGHT

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 parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)

Riddle Ranches Inc

OBJECTOR(s):

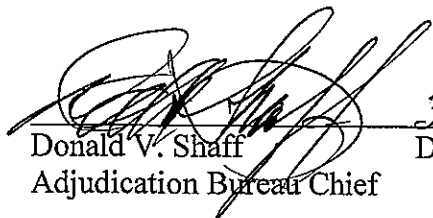
Shoshone-Paiute Tribes of the USA

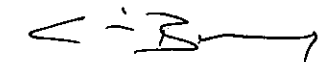
Charles L. Honsinger 3/6/08
Charles L. Honsinger Date
Attorney

Jeanne S. Whiteing 3/17/08
Jeanne S Whiteing Date
Attorney

AMENDED STANDARD FORM 5 - 55-2175

IDWR Concurrence:

 3-20-08
Donald V. Shaff Date
Adjudication Bureau Chief

 2/26/08
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

10/04/2007

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

RIGHT NUMBER: 55-2175

NAME AND ADDRESS: RIDDLE RANCHES INC
RIDDLE ID 83625

SOURCE: PAYNE CREEK

TRIBUTARY: BLUE CREEK

QUANTITY: 460.00 AFY

STORAGE CAPACITY 760 AF.

PRIORITY DATE: 11/16/1938

POINT OF
DIVERSION:

T13S R03E S34 SWNE Within OWYHEE County
T14S R03E S4 SWSW Rediversion Within OWYHEE County
T14S R03E S8 NENE Rediversion Within OWYHEE County
T14S R03E S8 SWNE Rediversion Within OWYHEE County
T14S R03E S8 NWSE Rediversion Within OWYHEE County
T14S R03E S17 SESW Rediversion Within OWYHEE County
T14S R03E S17 SWSE Rediversion Within OWYHEE County
T14S R03E S19 NENE Rediversion Within OWYHEE County
T14S R03E S19 SENE Rediversion Within OWYHEE County
T14S R03E S19 SWSE Rediversion Within OWYHEE County
T14S R03E S30 NENW Rediversion Within OWYHEE County
T14S R03E S30 NWNW Lot 1 Rediversion Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	1/01 12/31	460.00 AFY
IRRIGATION FROM STORAGE	4/01 10/31	460.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE in OWYHEE County			
~~T03~~ T14S R02E S25	NENE	37.00	T14S R02E S25 NWNE 22.00
T14S R02E S25	SWNE	33.00	T14S R02E S25 SENE 40.00
T14S R02E S25	SENW	3.00	T14S R02E S25 NESW 33.00
T14S R02E S25	SWSW	40.00	T14S R02E S25 SESW 40.00
T14S R02E S25	NESE	40.00	T14S R02E S25 NWSE 40.00
T14S R02E S25	SWSE	40.00	T14S R02E S25 SESE 34.00
T14S R02E S36	NENE	3.00	T14S R02E S36 NWNE 36.00
T14S R02E S36	SWNE	32.00	T14S R02E S36 SENE 1.00
T14S R02E S36	NENW	40.00	T14S R02E S36 NWNW 4.00
T14S R02E S36	SWNW	2.00	T14S R02E S36 SENW 31.00
T14S R02E S36	NESW	29.00	T14S R02E S36 NWSW 3.00
T14S R02E S36	SWSW	19.00	T14S R02E S36 SESW 40.00
T14S R02E S36	NESE	1.00	T14S R02E S36 NWSE 28.00
T14S R02E S36	SWSE	28.00	T14S R03E S05 SWSE 11.00
T14S R03E S05	SESE	17.00	T14S R03E S08 NENE 22.00
T14S R03E S08	NWNE	31.00	T14S R03E S08 SWNE 32.00
T14S R03E S08	SENE	6.00	T14S R03E S08 SESW 9.00

T14S R03E S08	NESE	7.00	T14S R03E S08	NWSE	34.00
T14S R03E S08	SWSE	40.00	T14S R03E S08	SESE	17.00
T14S R03E S17	NENE	27.00	T14S R03E S17	NWNE	40.00
T14S R03E S17	SWNE	40.00	T14S R03E S17	SENE	19.00
T14S R03E S17	NENW	39.00	T14S R03E S17	NWNW	8.00
T14S R03E S17	SWNW	25.00	T14S R03E S17	SENW	40.00
T14S R03E S17	NESW	40.00	T14S R03E S17	NWSW	6.00
T14S R03E S17	SWSW	35.00	T14S R03E S17	SESW	40.00
T14S R03E S17	NESE	5.00	T14S R03E S17	NWSE	40.00
T14S R03E S17	SWSE	21.00	T14S R03E S18	SESE	11.00
T14S R03E S19	NENE	40.00	T14S R03E S19	NWNE	13.00
T14S R03E S19	SWNE	34.00	T14S R03E S19	SENE	40.00
T14S R03E S19	NESW	21.00	T14S R03E S19 Lot 4 SWSW		10.00
T14S R03E S19	SESW	38.00	T14S R03E S19	NESE	40.00
T14S R03E S19	NWSE	40.00	T14S R03E S19	SWSE	40.00
T14S R03E S19	SESE	24.00	T14S R03E S20	NWNE	19.00
T14S R03E S20	NENW	18.00	T14S R03E S20	NWNW	22.00
T14S R03E S30	NENE	2.00	T14S R03E S30	NWNE	31.00
T14S R03E S30	SWNE	2.00	T14S R03E S30	NENW	40.00
T14S R03E S30 Lot 1 NWNW		40.00	T14S R03E S30 Lot 2 SWNW		22.00
T14S R03E S30	SENW	7.00			

1904 ACRES TOTAL

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3098 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02181 & 55-02210. THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.~~

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10293, 55-02032, 55-02063, 55-02129, 55-02169, 51-02002, 55-02181, 55-02210 AND 55-13479 - THESE ARE OTTER SPRINGS, MARYS CREEK, PAYNE CREEK AND SQUAW CREEK RIGHTS.

CB
JW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 350 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.

~~IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AND OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.~~

~~RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 51 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 51 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 51 RIGHTS. THE BASIN 51 RIGHTS ARE FROM OTTER CREEK (AKA ALDER CREEK) AND MARYS CREEK.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

CB
jw

CERTIFICATE OF MAILING

I certify that on 3/24, 2008, 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:

Riddle Ranches Inc
Represented by:
Charles L. Honsinger
455 S Third St
PO Box 2773
Boise ID 83701-2773

Shoshone-Paiute Tribes
Represented by
Jeanette Wolfley, Special Counsel
Shoshone-Bannock Tribe
202 N Arthur
Pocatello ID 83202

courtesy copy

Shoshone-Paiute Tribes
Jeanne S Whiteing
Whiteing & Smith
1136 Pearl Street, Suite 203
Boulder, CO 80302

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form