



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

February 11, 2009

Peter & Judith Riede  
P.O. Box 220  
Afton, WY 83110-0220

RE: SRBA Subcase Nos. 24-4062 & 24-4069

Dear Mr. & Ms. Riede:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced water rights. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to settle water right disputes. Please review the documents, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me in the self-addressed stamped envelope that I have enclosed for your convenience.

I am also enclosing two layouts prepared by Ernie Carlsen at IDWR's Regional Office in Idaho Falls. The layouts illustrate the acres being identified on each right.

If you should have any questions or comments, please feel free to contact me at (208) 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams  
Paralegal

Enclosures

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. 24-4062

STANDARD FORM 5

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/OBJECTOR:

CLAIMANT:

Peter M. Riede

Date

Judith M. Riede

Date

**IDWR Concurrence:**

Ernest Carlsen 2/6/09  
Ernest Carlsen Date  
Water Resource Program Manager

Nicholas B. Spencer 2-9-09  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR

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

INITIAL  
HERE

RIGHT NUMBER: 24-4062

NAME AND ADDRESS:

JUDITH M RIEDE  
PO BOX 220  
AFTON WY 83110-0220

PETER M RIEDE  
PO BOX 220  
AFTON WY 83110-0220

SOURCE: Source:  
BOOKS SPRING

Tributary:  
CROW CREEK

QUANTITY: 0.220 CFS ~~0.160 CFS~~

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1955

POINT OF DIVERSION:

T10S R45E S1 SENESW  
Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity:                             |
|----------------|----------------|---------------------------------------|
| IRRIGATION     | 05/15 10/31    | <u>0.220 CFS</u> <del>0.160 CFS</del> |
| STOCKWATER     | 05/15 11/01    | 0.020 CFS                             |

PLACE OF USE: IRRIGATION within CARIBOU County

T10S R45E S01 NWSE 11.0

~~T10S R45E S01 NWSE 7.9~~

STOCKWATER Same As IRRIGATION

11 ACRES TOTAL

~~7.9 ACRES TOTAL~~

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 24-4069 is also diverted through point of diversion described above. Stockwater use is for 100 range cows.

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2009, 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:

PETER M. RIEDE  
P.O. BOX 200  
AFTON, WY 83110

JUDITH M. RIEDE  
PETER M. RIEDE  
P.O. BOX 220  
AFTON, WY 83110

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

\_\_\_\_\_  
Signature of person or attorney mailing form

**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. 24-4069

**STANDARD FORM 5**

**STIPULATED ELEMENTS OF A  
WATER RIGHT**

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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/OBJECTOR:**

**CLAIMANT:**

Peter M. Riede

Date

Judith M. Riede

Date

**IDWR Concurrence:**

Ernest Carlsen 2/6/09  
Ernest Carlsen Date  
Water Resource Program Manager

Nicholas B. Spencer 2-9-09  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR

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

INITIAL  
HERE

RIGHT NUMBER: 24-4069

NAME AND ADDRESS:

JUDITH M RIEDE  
PO BOX 220  
AFTON WY 83110-0220

PETER M RIEDE  
PO BOX 220  
AFTON WY 83110-0220

SOURCE: Source:  
BOOKS SPRING

Tributary:  
CROW CREEK

QUANTITY: 0.100 CFS ~~0.05 CFS~~

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1955

POINT OF DIVERSION:

T10S R45E S1 SENESW Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity:                            |
|----------------|----------------|--------------------------------------|
| IRRIGATION     | 05/01 10/01    | <u>0.100 CFS</u> <del>0.05 CFS</del> |
| STOCKWATER     | 05/01 10/01    | 0.020 CFS                            |

PLACE OF USE: IRRIGATION within CARIBOU County

T10S R45E S01 NESW 3.4

~~T10S R45E S01 NESW 2.5~~

STOCKWATER Same As IRRIGATION

3.4 ACRES TOTAL

~~2.5 ACRES TOTAL~~

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use. 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

Stockwater use is for 150 range cows.  
Right No. 24-4062 is also diverted through point of diversion described above.

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2009, 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  
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2. Copies to:

PETER M. RIEDE  
P.O. BOX 200  
AFTON, WY 83110

JUDITH M. RIEDE  
PETER M. RIEDE  
P.O. BOX 220  
AFTON, WY 83110

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

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Signature of person or attorney mailing form

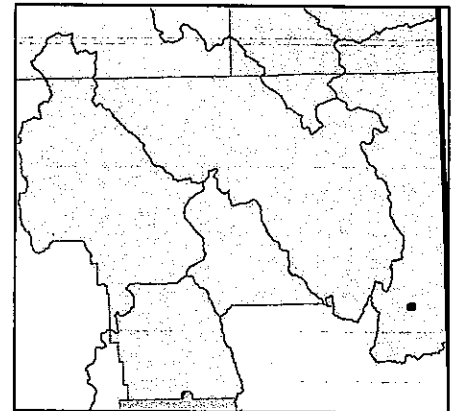


# Idaho Department of Water Resources

SRBA Recommendation  
24-4062  
(IRRIGATION)

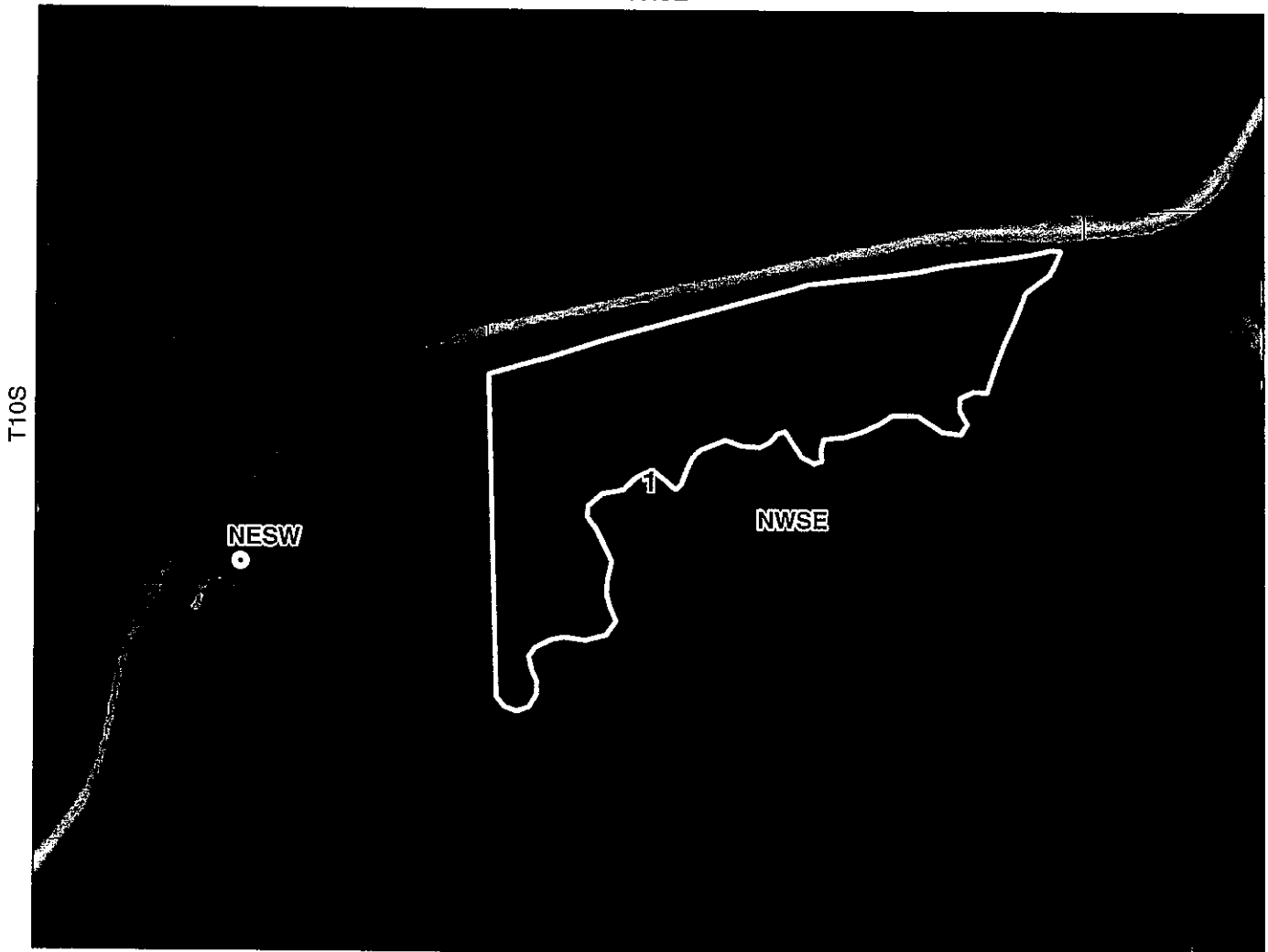
## Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Caribou County  
IDWR Basin 24

R45E



Prepared by Ernie Carlsen  
On February 06, 2009  
2004 Aerial Photography

0 0.05 0.1 0.2  
Miles



# Idaho Department of Water Resources

SRBA Recommendation  
24-4069  
(IRRIGATION)

## Legend

⊙ Point of Diversion

Place of Use



State Outline



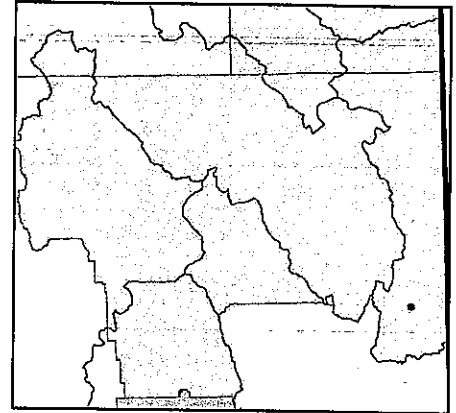
Townships



PLS Sections



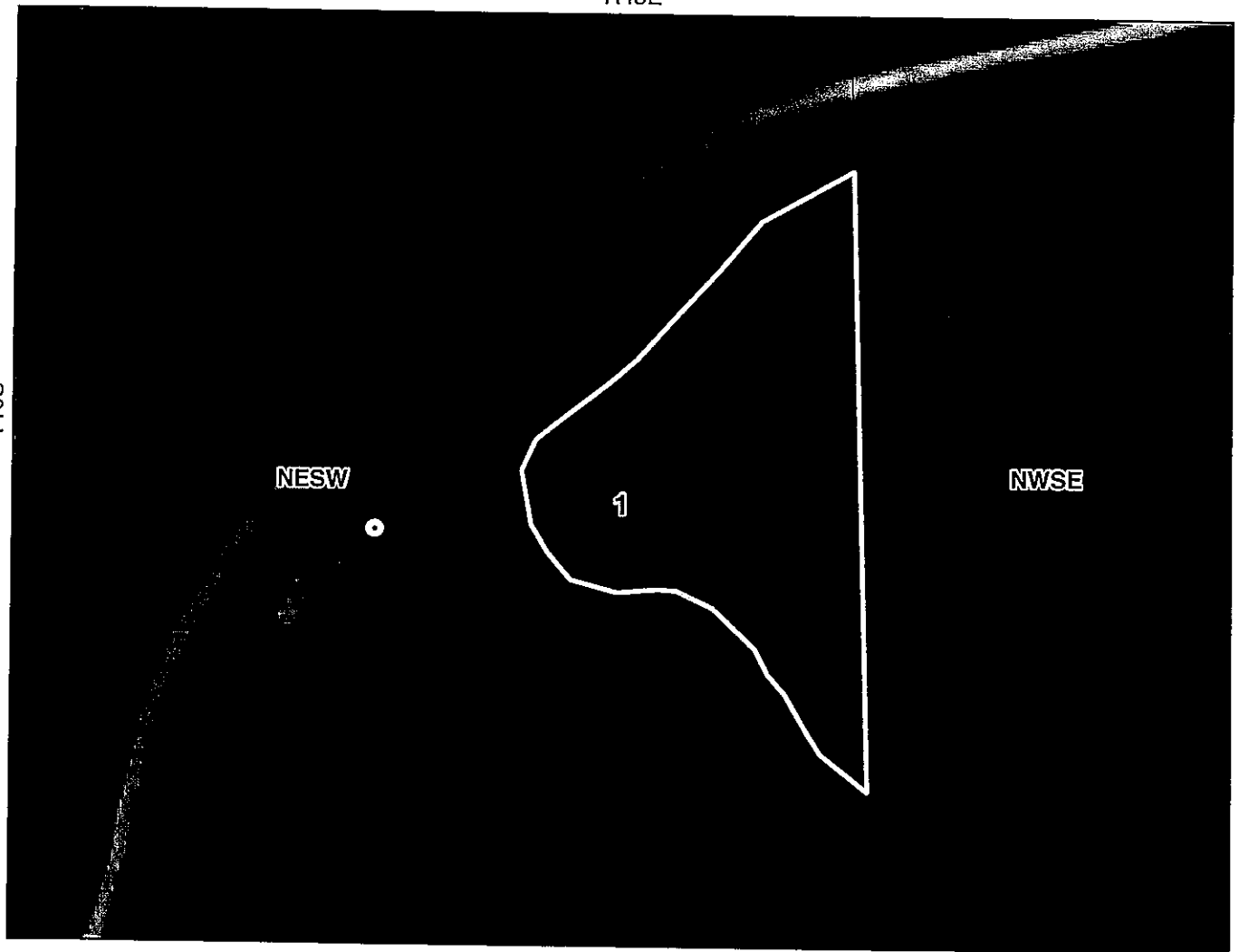
Quarter Quarters



Caribou County  
IDWR Basin 24

R45E

T10S



Prepared by Ernie Carlsen  
On February 06, 2009  
2004 Aerial Photography

0 0.04 0.08 0.16 Miles