



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

July 10, 2009

Jeanette Wolfley
Special Counsel
Shoshone-Bannock Tribes
202 N. Arthur
Pocatello, ID 83202

RE: *SRBA Subcase Nos. 27-11954, 27-11955, 27-11956 (Blotter)*
& 27-10993 (Cedar Creek Grazing Association)

Dear Jeanette:

I am enclosing an Amended SF5 for each of the above-referenced water rights. Please review the documents, and they are acceptable, please sign on the indicated signature lines and initial the revised recommendations. After signature, please circulate the documents to the other parties for signature and ask that they return the original documents to me. I will obtain the signatures from IDWR and file the documents with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 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	)	Subcase No. 27-11954
	)	
Case No. 39576	)	AMENDED
	)	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:

OBJECTOR:

Shoshone-Bannock Tribes

Paul Thomas Blotter Date

Jeanette Wolfley Date
Attorney for Objector

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

RIGHT NUMBER: 27-11954

NAME AND ADDRESS:

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN UT 84321

SOURCE:

Source:
UNNAMED STREAM

Tributary:

SINKS

QUANTITY:

0.020 CFS
4.500 AFY

Right Nos. 27-11954, 27-11955, and 27-11956 are limited to a total combined annual diversion volume of 4.5 AF.

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

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION:

T08S R44E S19 SWNWSE End of Stream Flow
Within CARIBOU County

T08S R44E S20 NESWNW Begin of Stream Flow
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/01 11/01

0.020 CFS 4.50 AFY

PLACE OF USE:

STOCKWATER within CARIBOU County

~~T08S R44E S19 NENE~~
~~T08S R44E S19 NWNE~~
~~T08S R44E S19 SWNE~~

T08S R44E S19 SENE
T08S R44E S19 NESE
T08S R44E S19 NWSE

~~T08S R44E S19 SWSE~~
~~T08S R44E S19 SESE~~
~~T08S R44E S20 NENW~~
~~T08S R44E S20 NWNW~~

T08S R44E S20 SWNW

~~T08S R44E S20 SENW~~

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

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 is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 400 cow-calf pairs.

RESPONDENT:

State of Idaho

Shasta Kilminster-Hadley Date
Attorney for Respondent

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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:

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
P.O. BOX 44449
BOISE, ID 83711-4449

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

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

Signature of person or attorney mailing the 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	)	Subcase No. 27-11955
	)	
Case No. 39576	)	AMENDED
	)	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:

Shoshone-Bannock Tribes

Paul Thomas Blotter Date

Jeanette Wolfley Date
Attorney for Objector

RESPONDENT:

State of Idaho

Shasta Kilminster-Hadley Date
Attorney for Respondent

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-11955

NAME AND ADDRESS:

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN UT 84321

SOURCE:

Source:

Tributary:

UNNAMED STREAM

SINKS

~~SPRING~~

QUANTITY:

0.020 CFS

4.500 AFY

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

Right Nos. 27-11954, 27-11955, and 27-11956 are limited to a total combined annual diversion volume of 4.5 AF.

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION:

T08S R44E S17 SESWSE Begin of Stream Flow
Within CARIBOU County

T08S R44E S17 SESE End of Stream Flow
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/01 11/01

0.020 CFS 4.50 AFY

~~04/01 11/01~~

PLACE OF USE:

STOCKWATER within CARIBOU County

T08S R44E S17 SWSE

T08S R44E S17 SESE

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 is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 400 cow-calf pairs.

CERTIFICATE OF MAILING

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JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

STATE OF IDAHO
Represented by:
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BOISE, ID 83720-0098

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

Signature of person or attorney mailing the 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	)	Subcase No. 27-11956
	)	
Case No. 39576	)	AMENDED
	)	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:

Shoshone-Bannock Tribes

Paul Thomas Blotter Date

Jeanette Wolfley Date
Attorney for Objector

RESPONDENT:

State of Idaho

Shasta Kilminster-Hadley Date
Attorney for Respondent

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-11956

NAME AND ADDRESS:

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN UT 84321

SOURCE:

Source:
SPRING

Tributary:
SINKS

QUANTITY:

0.020 CFS
4.500 AFY

Right Nos. 27-11954, 27-11955, and 27-11956 are limited to a total combined annual diversion volume of 4.5 AF.

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

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION:

T08S R44E S20 NENW
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:
STOCKWATER

Period of use:
05/01 11/01

Quantity:
0.020 CFS 4.50 AFY

PLACE OF USE:

STOCKWATER within CARIBOU County
T08S R44E S20 NENW

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 is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 400 cow-calf pairs.

CERTIFICATE OF MAILING

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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
P.O. BOX 44449
BOISE, ID 83711-4449

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

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

Signature of person or attorney mailing the 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. 27-10903

STANDARD FORM 5

AMENDED CLAIM

**FOR DOMESTIC & STOCKWATER
RIGHTS**

This form is used to report the stipulated elements of one “domestic and/or stockwater” right acquired under state law and one/or one federal reserved right and to amend the Notice of Claim. 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 decreed as described in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Cedar Creek Grazing Association

OBJECTOR:

Shoshone-Bannock Tribes

By: _____ Date _____
Title: _____

Jeanette Wolfley Date _____
Attorney for Objector

RESPONDENT:

State of Idaho

Shasta Kilminster-Hadley Date
Attorney for Respondent

IDWR Concurrence:

Michael Holliday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-10903

NAME AND ADDRESS:

CEDAR CREEK GRAZING ASSN
C/O KATHY AND RULON JONES
PO BOX 472
FIRTH ID 83236

SOURCE:

Source:
CEDAR CREEK

Tributary:
BLACKFOOT RIVER

Source:
COLE CREEK

Tributary:
CEDAR CREEK

Source:
MINER CREEK

Tributary:
BLACKFOOT RIVER

Source:
UNNAMED STREAM

Tributary:
CEDAR CREEK

QUANTITY:

0.020 CFS
6.300 AFY

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

Right Nos. 27-10903 and 27-10904 are limited to a total combined annual diversion volume of 6.3 AF.

PRIORITY DATE: 01/01/1967

POINT OF DIVERSION:

T02S R38E S25 NENENE Begin of Stream Flow
Within BINGHAM County

T02S R38E S25 SESENE Begin of Stream Flow
Within BINGHAM County

T02S R38E S25 SWSWNW End of Stream Flow
Within BINGHAM County

T02S R39E S21 SESW
Within BINGHAM County

~~T02S R39E S25 SWSWNW End of Stream Flow~~
~~Within BINGHAM County~~

T02S R39E S30 Lot 3 NENWSW End of Stream Flow
Within BINGHAM County

~~T02S R39E S30 SESWSE Begin of Stream Flow~~
~~Within BINGHAM County~~

T02S R39E S31 NWSENE Begin of Stream Flow
Within BINGHAM County

T02S R39E S31 NESENW Begin of Stream Flow
Within BINGHAM County

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

PURPOSE AND PERIOD OF USE:	Purpose of use:	Period of use:	Quantity:
	STOCKWATER	<u>05/15 11/01</u> ~~01/01 12/31~~	0.020 CFS <u>6.30 AFY</u>

PLACE OF USE: STOCKWATER within BINGHAM County

T02S R38E S25 NENE
T02S R38E S25 SWNE
T02S R38E S25 SENE
T02S R38E S25 SWNW
T02S R38E S25 SENW
T02S R38E S25 NESE
T02S R38E S25 NWSE
T02S R38E S25 SESE
T02S R39E S21 SESW
T02S R39E S30 Lot 3 NWSW

~~T02S R39E S30 SWSW~~

T02S R39E S30 SESW
T02S R39E S30 SWSE
T02S R39E S31 NENE
T02S R39E S31 SENE
T02S R39E S31 NENW

~~T02S R39E S31 NWNW~~

T02S R39E S31 Lot 1 NWNW
T02S R39E S31 SENW

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 is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 600 cow-calf pairs.

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:

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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

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

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

CEDAR CREEK GRAZING ASSN.
C/O KATHY AND RULON JONES
P.O. BOX 472
FIRTH, ID 83236

RULON JONES
3985 N 3775 E
LIBERTY, UT 84310

Signature of person or attorney mailing the form