



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

October 22, 2009

Idaho Department of Water Resources
Attn: Michael Holliday
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

*RE: 27-102, 27-12096, 27-12098 & 27-12100
(Meadow Creek Ranch)*

Dear Michael:

I am enclosing a Stipulation and SF5s for the above-referenced water rights. Please sign, initial and return the original documents to me. I'll obtain the remaining signatures and file them with the SRBA Court.

Thanks.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray", written in black ink.

Ray Williams
Paralegal

Enclosures

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

RIGHT NUMBER: 27-102

NAME AND ADDRESS:

MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON ID 83263

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY UT 84109

SOURCE:

Source:
SHEEP CREEK

Tributary:
MEADOW CREEK

Source:
UNNAMED STREAM

Tributary:
MEADOW CREEK

QUANTITY: 3.200 CFS

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

PRIORITY DATE: 05/15/1890

POINT OF DIVERSION:

T05S R42E S3 Lot 2 NWNWNE
Within CARIBOU County

T05S R42E S4 Lot 2 SENWNE
Within CARIBOU County

~~T05S R42E S4 NESWNE~~
~~Within CARIBOU County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

3.200 CFS

STOCKWATER

04/15 10/31

0.020 CFS 4.40 AFY
~~0.120 CFS~~



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

PLACE OF USE:	IRRIGATION within BONNEVILLE and CARIBOU Counties	within CARIBOU County
	<u>T04S R42E S33 SESE 1.1</u>	
	<u>T05S R42E S04 Lot 1 NENE 12.0</u>	
	<u>T05S R42E S04 Lot 2 NWNE 3.5</u>	
	<u>T05S R42E S04 SWNE 26.0</u>	
	<u>T05S R42E S04 SENE 23.0</u>	T05S R42E S04 SENE 21.0
	<u>T05S R42E S04 SENW 9.0</u>	T05S R42E S04 SENW 5.3
	<u>T05S R42E S04 NESW 10.0</u>	T05S R42E S04 NESW 15.0
		T05S R42E S04 SESW 0.7
	<u>T05S R42E S04 NESE 20.0</u>	T05S R42E S04 NESE 15.0
	<u>T05S R42E S04 NWSE 28.0</u>	T05S R42E S04 NWSE 39.0
	<u>T05S R42E S04 SWSE 1.1</u>	T05S R42E S04 SWSE 21.0
	<u>T05S R42E S04 SESE 8.5</u>	
	STOCKWATER Same As IRRIGATION	
	<u>142.2 ACRES TOTAL</u>	<u>143 ACRES TOTAL</u>

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

Stockwater use is for 300 yearlings and 250 cow-calf pairs.

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

OBJECTORS:

Peter C. Monson, USDOJ Date
Attorney for BIA

Jeanette Wolfley 4/16/09
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENTS:

David J. Barber Date
Attorney for State of Idaho

Jerry R. Rigby Date
Attorney for Committee of Nine

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:

COMMITTEE OF NINE
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

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

COMMITTEE OF NINE
Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

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

MEADOW CREEK RANCH
2330 S. DALLIN STREET
SALT LAKE CITY, UT 84109

Signature of person or attorney mailing the form

RECEIVED

OCT 21 2009

DEPARTMENT OF
WATER RESOURCES

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. 27-12096
)
Case No. 39576)
) 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 described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Meadow Creek Ranch

OBJECTOR:

Shoshone-Bannock Tribes

Elaine Ellis 10/16/09
By: ELAINE ELLIS Date
Title: PARTNER, MEADOW CREEK RANCH

Jeanette Wolfley 8/10/09
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: 27-12096

NAME AND ADDRESS:

MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON ID 83263

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY UT 84109

SOURCE:

Source:
SPRING

Tributary:

MEADOW CREEK

QUANTITY:

0.020 CFS
5.530 AFY

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

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T04S R42E S33 SESE
Within BONNEVILLE County ~~Within CARIBOU County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
STOCKWATER	<u>03/15 12/01</u> 01/01 12/31	0.020 CFS <u>4.93 AFY</u>
DOMESTIC	01/01 12/31	0.020 CFS <u>0.60 AFY</u>

Domestic use is for 1 cabin.

PLACE OF USE:

STOCKWATER within BONNEVILLE County ~~within CARIBOU County~~
T04S R42E S33 SESE

DOMESTIC within BONNEVILLE County ~~within CARIBOU County~~
T04S R42E S33 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 100 yearlings and 250 cow-calf pairs.

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BOISE, ID 83711-4449

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P.O. BOX 83720
BOISE, ID 83720-0098

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PRESTON, ID 83263

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SALT LAKE CITY, UT 84109

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DEPARTMENT OF
WATER RESOURCES

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. 27-12098
	)	
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:

Meadow Creek Ranch

OBJECTOR:

Shoshone-Bannock Tribes

Elaine Ellis 10/16/09
By: ELAINE ELLIS Date
Title: PARTNER, MEADOW CREEK RANCH

Jeanette Wolfley 8/10/09
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: 27-12098

NAME AND ADDRESS:

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY UT 84109

MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON ID 83263

SOURCE:

Source:

Tributary:

UNNAMED STREAM

SINKS

QUANTITY:

0.020 CFS

1.120 AFY

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

PRIORITY DATE:

05/15/1970

POINT OF DIVERSION:

T04S R42E S33 NESW

Within BONNEVILLE County

~~Within CARIBOU County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/01 10/31

0.020 CFS

1.12 AFY

PLACE OF USE:

STOCKWATER within BONNEVILLE County

~~within CARIBOU County~~

T04S R42E S33 NESW

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~~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 100 cow-calf pairs.

~~Stockwater use is for 100 cattle.~~

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Case No. 39576	)	AMENDED
	)	STANDARD FORM 5
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Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-12100

NAME AND ADDRESS:

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY UT 84109

MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON ID 83263

SOURCE:

Source:
SPRING

Tributary:
SINKS

QUANTITY:

0.020 CFS
1.120 AFY

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

PRIORITY DATE: 08/01/1970

POINT OF DIVERSION:

T04S R42E S33 SENESW
Within BONNEVILLE County ~~Within CARIBOU County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:
STOCKWATER

Period of use:
05/01 10/31

Quantity:
0.020 CFS 1.12 AFY

PLACE OF USE:

STOCKWATER within BONNEVILLE County ~~within CARIBOU County~~
T04S R42E S33 NESW

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