



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

November 9, 2009

Susan Hill
881 North Highway 32
Tetonia, ID 83452

RE: SRBA Subcase Nos. 22-13900, 22-13904 & 22-13908

Dear Ms. Hill:

Michael Holliday, Senior Water Resource Agent at IDWR's Eastern Regional Office in Idaho Falls, asked that I send you copies of the Standard Forms 5 ("SF5s") that I sent previously sent out concerning the above-referenced water rights. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to settle water right disputes. Accordingly, I am enclosing copies of the SF5s, along with the cover letter that accompanied that mailing.

Please review the documents, and if they are acceptable, please have them signed on the indicated signature lines, initialed on the revised recommendations and return the original documents to me in the self-addressed stamped envelope that I have enclosed for your convenience. I will file the original SF5s with the SRBA Court and provide copies to the parties. If we are able to file the SF5s in the very near future, I can request that the SRBA Court vacate the Hearing on Order to Show Cause set for November 20, 2009.

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

Sincerely,

A handwritten signature in blue ink that reads 'Ray Williams'.

Ray Williams
Paralegal

Enclosures



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

February 17, 2009

W. Reid & Marjean Brower Family Trust
881 Hwy. 32
Tetonia, ID 83452

RE: SRBA Subcase Nos. 22-13900, 22-13904 & 22-13908

Dear Claimant:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the SRBA ("Snake River Basin Adjudication") Court to settle water right disputes. Please review the documents, and if they are acceptable, please sign on the indicated signature lines and initial the recommendations. After signature, please return the original SF5s to me, and I will file them with the SRBA Court and will provide copies to you..

If you should have any questions or comments, please contact Michael Holliday, Senior Water Resource Agent, Eastern Regional Office in Idaho Falls at 525-7161.

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. 22-13900
	)	<i>Split from 22-13374</i>
	)	
Case No. 39576	)	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.

**SIGN
HERE**

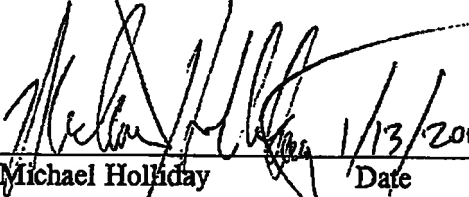
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

W. Reid & Marjean Brower Family Trust

By: _____ Date _____
Title:

DWR Concurrence:



Michael Holliday Date
Senior Water Resource Agent 1/13/2009



Andrea L. Courtney Date
Deputy Attorney General 1/7/09
Attorney for IDWR

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

RIGHT NUMBER: 22-13900

NAME AND ADDRESS:

W REID AND MARJEAN BROWER FAMILY
TRUST
881 HWY 32
TETONIA ID 83452

SOURCE:

Source:
BADGER CREEK

Tributary:

TETON RIVER

QUANTITY:

0.830 CFS

~~0.720 CFS~~

PRIORITY DATE:

06/01/1891

POINT OF DIVERSION:

T06N R45E S8 NWSE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.830 CFS

~~0.720 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T06N R45E S17 NWNW 1.5

~~T06N R45E S17 NWNW 2.5~~

T06N R45E S17 SWNW 35.0

~~T06N R45E S17 SWNW 34.0~~

36.5 ACRES TOTAL

Right Nos. 22-13900 and 22-13904 are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season. Combined Right Nos. 22-13900, 22-13904, and 22-13908.~~

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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-174B.

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:

W. REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY. 32
TETONIA, ID 83452

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

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. 22-13904
	)	<i>Split from 22-13377</i>
	)	
Case No. 39576	)	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.

CLAIMANTS:

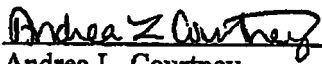
W. Reid & Marjean Brower Family Trust

By: _____ Date _____
Title: _____

DWR Concurrence:



Michael Holliday Date
Senior Water Resource Agent



Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13904

NAME AND ADDRESS:

W REID AND MARJEAN BROWER FAMILY
TRUST
881 HWY 32
TETONIA ID 83452

SOURCE:

Source:
BADGER CREEK

Tributary:
TETON RIVER

QUANTITY:

0.830 CFS

~~0.720 CFS~~

PRIORITY DATE:

01/18/1905

POINT OF DIVERSION:

T06N R45E S8 NWNESE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.830 CFS

~~0.720 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T06N R45E S17 NWNW 1.5

~~T06N R45E S17 NWNW 2.5~~

T06N R45E S17 SWNW 35.0

~~T06N R45E S17 SWNW 34.0~~

36.5 ACRES TOTAL

Right Nos. 22-13900 and 22-13904 are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season. Combined Right Nos. 22-13900, 22-13904, and 22-13908.~~

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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-254A.

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:

W. REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY. 32
TETONIA, ID 83452

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

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. 22-13908
	)	<i>Split from 22-13380</i>
	)	
Case No. 39576	)	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.

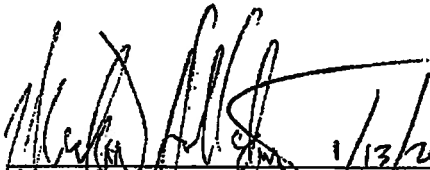
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

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

CLAIMANT:
W. Reid & Marjean Brower Family Trust

By: _____ Date _____
Title:

DWR Concurrence:



Michael Holliday 1/13/2009
Senior Water Resource Agent Date



Andrea L. Courtney 1/7/09
Deputy Attorney General Date
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
22-13908	W REID AND MARJEAN BROWER FAMILY TRUST 881 HWY 32 TETONIA ID 83452	Disallowed	Recommended as Right Nos. 22-13382, 22-13871, and 22-13907.

OK
MWA

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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CLERK OF THE DISTRICT COURT
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W. REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY. 32
TETONIA, ID 83452

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

Signature of person or attorney mailing the form