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FEB 25 2010

DEPARTMENT OF
WATER RESOURCES

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

FEB 24 2010

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: 27-12194 & 27-12195

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

On April 10, 2009, Bear Lake Grazing Company filed *Motiosn to File Late Notice of Claim* for the above-captioned water rights. Hearing was held on the *Motions* on July 21, 2009. No party appeared in opposition to the *Motions to File Late Notice of Claim*, however, following the hearing the Court referred this matter to a special master to make findings consistent with the I.R.C.P. 55(s) standard.

On February 23, 2010, Special Master Brigitte Bilyeu issued a *Special Master's Report and Recommendation on Motion to File Late Claim* recommending the late claims be granted. No party appeared in opposition to the motion in conjunction with the proceedings before the special master. Although the time for filing a *Motion to Alter or Amend* to the *Special Master's Report and Recommendation* has not expired, the Court can find no reason to delay the issuance of this *Order* and will forward the late claims to IDWR for investigation and reporting.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the

claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated February 24, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on February
24, 2010, with sufficient first-class postage to the following:

BEAR LAKE GRAZING CO

Represented by:

JERRY R. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

FEB/16/2010/TUE 03:15 AM

BLMH BUSINESS OFFICE

FAX No. 208 847 4

P. 005

356-0768

Line 1

12:00:39

02-16-2010

4/6

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 27-12194
Date Received: 4/8/2009
Receipt No:
Received By: MWA

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEAR LAKE GRAZING CO Phone: (208)847-0636
835 ALTON RD
MONTPELIER ID USA 83254

2. Date of Priority: 05/01/1885

3. Source: UNNAMED STREAMS Trib. to: LANES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06S	44E	34	SE	NE	NW	CARIBOU	Beginning Point
06S	44E	34	NW	SW	NE	CARIBOU	Beginning Point
06S	44E	34	SE	SE	SW	CARIBOU	Ending Point
06S	44E	34	NW	NW	SW	CARIBOU	Ending Point
06S	44E	34	SW	SW	NW	CARIBOU	Ending Point
06S	44E	34	NE	NE	SE	CARIBOU	Beginning Point

5. Description of diverting works:

Instream stockwater

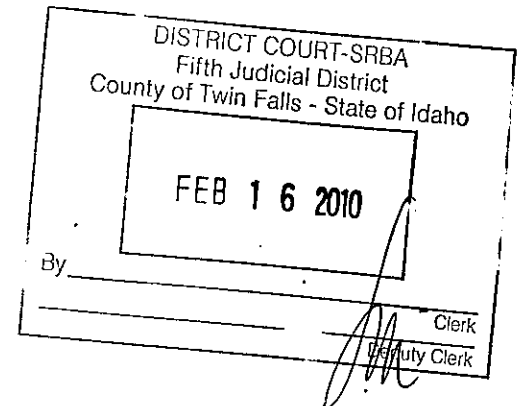
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:



FEB/16/2010/TUE 03:15 AM

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FAX No. 208 847 4

P. 006

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Line 1

12:01:02

02-16-2010

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10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	44E	34	NE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			SE	NW	STOCKWATER	
			NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SE	SW	STOCKWATER	
			NE	SE	STOCKWATER	
			NW	SE	STOCKWATER	
			SW	NE	STOCKWATER	

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Stockwater use is for 3000 cow-calf pairs.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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FAX No. 208 847 4000

P. 007

356-0768

Line 1

12:01:18

02-16-2010

6/8

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Bear Lake Grazing Co., that I have signed the foregoing
document in the space below as General Partner of
Bear Lake Grazing Co. and that the statements contained in the
foregoing document are true and correct. Syann C. Keatch
Signature of Authorized Agent

General Partner Bear Lake Grazing Co.
Title and Organization

2-16-10

Date

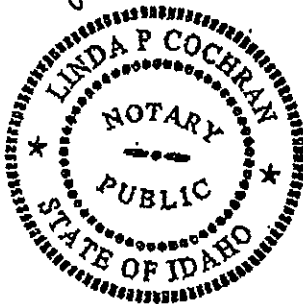
State of Idaho

County of Bear Lake

SS.

Subscribed and sworn (or affirmed) before me this 16th Dayon February 2010Linda Cochran

Notary Public

Residing at MontpelierMy commission Expires 6-01-2010

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 27-12194
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEAR LAKE GRAZING CO Phone: (208)847-0636

C/O ROWDEEN KEETCH
3632 BENCH RD
MONTPELIER ID USA 83254

2. Date of Priority: 05/01/1885

3. Source: UNNAMED STREAM, UNNAMED STREAM, UNNAMED STREAM, UNNAMED STREAM, UNNAMED
STREAM, UNNAMED STREAM, UNNAMED STREAM, UNNAMED STREAM, UNNAMED STREAM, UNNAMED
STREAM
Trib. to: SINKS, SINKS, SINKS, SINKS, SINKS, SINKS, SINKS, SINKS, SINKS, SINKS,
SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County	Type
07S	44E	2	SW	SE	NW		CARIBOU	Beginning of Stream Flow
07S	44E	2	NE	NW	SW		CARIBOU	End of Stream Flow
06S	44E	34	SE	SE	SW		CARIBOU	Beginning of Stream Flow
06S	44E	34	SE	SE	SW		CARIBOU	End of Stream Flow
06S	44E	34	SW	SW	SE		CARIBOU	Beginning of Stream Flow
06S	44E	34	SE	SE	SW		CARIBOU	End of Stream Flow
06S	44E	34	NE	SE	SW		CARIBOU	Beginning of Stream Flow
06S	44E	34	NE	SE	SW		CARIBOU	End of Stream Flow
07S	44E	11	NE	NW	NE		CARIBOU	Beginning of Stream Flow
07S	44E	11	SW	NW	NE		CARIBOU	End of Stream Flow
07S	44E	2	NW	SW	SE		CARIBOU	Beginning of Stream Flow
07S	44E	2	NW	SW	SE		CARIBOU	End of Stream Flow
06S	44E	34	NW	NW	SE		CARIBOU	Beginning of Stream Flow
07S	44E	2	NW	SW	NW		CARIBOU	End of Stream Flow
06S	44E	34	NW	SE	NW		CARIBOU	Beginning of Stream Flow
06S	44E	34	NW	SW	NW		CARIBOU	End of Stream Flow

5. Description of diverting works:

INSTEAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
STOCKWATER	6/01	11/15	0.02

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	44E	34	SE	SW	STOCKWATER	
			SW	SE	STOCKWATER	
			NW	SE	STOCKWATER	
			NE	SW	STOCKWATER	
			SE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
07S	44E	2	SW	NW	STOCKWATER	
			SW	SE	STOCKWATER	
			NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
07S	44E	11	NW	NE	STOCKWATER	

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks: 1000 YEARLINGS

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Title
Bear Lake Grazing Company that I have signed the foregoing
Organization
document in the space below as General Partner of
Title
Bear Lake Grazing Company and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Synn C. Keetch
Authorized Agent

General Partner Bear Lake Grazing Company
Title and Organization

4-8-09
Date

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
of April 2009

8TH day of
Jonie M. Bargo
Notary Public

Residing at Idaho Falls, Idaho
My commission Expires July 24, 2013



FEB/16/2010/TUE 03:14 AM

BLMH BUSINESS OFFICE

FAX No. 208 847 4

P.003

356-0763

Line 1

11:59:53 02-16-2010

2/8

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 27-12195
Date Received: 4/8/2009
Receipt No:
Received By: MWH

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEAR LAKE GRAZING CO Phone: (208)847-0636
835 ALTON RD
MONTPELIER ID USA 83254

2. Date of Priority: 05/01/1886

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	44E	23	NW SW SW	CARIBOU	Beginning Point
07S	44E	23	SE NW SW	CARIBOU	Ending Point

5. Description of diverting works:

Instream stockwater

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	0.02	

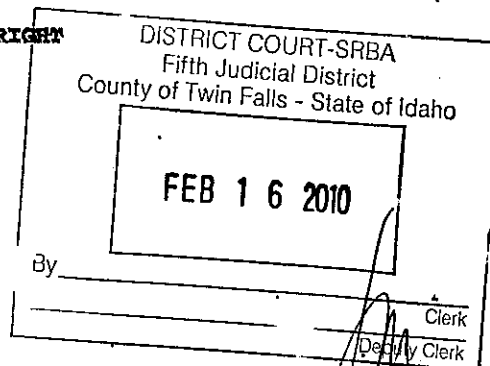
7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07S	44E	23	NW SW	STOCKWATER	
			SW SW	STOCKWATER	



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BLMH BUSINESS OFFICE

FAX No. 208 847 4000

P. 004

356-0768

Line 1

12:00:16

02-16-2010

3/6

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Source is known locally as Mosquito Springs.

Stockwater use is for 3000 cow-calf pairs.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Bear Lake Grazing Co. that I have signed the foregoing
 document in the space below as General Partner of
Bear Lake Grazing Co. and that the statements contained in the
 foregoing document are true and correct. Susan C. Koetch
 Signature of Authorized Agent

General Partner Bear Lake Grazing Co.
 Title and Organization

2-16-10
 Date

State of Idaho

County of Bear Lake

SS.

Subscribed and sworn (or affirmed) before me this 16th Day
 of February 2010

Linda Cochran
 Notary Public

Residing at 436 Jefferson St. MontpelierMy commission Expires 6-01-2010

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1. Name of Claimant(s)

BEAR LAKE GRAZING CO Phone: (208)847-0636

C/O ROWDEEN KEETCH
3632 BENCH RD
MONTPELIER ID USA 83254

2. Date of Priority: 05/01/1886

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07S	44E	23	SE	SW	SW	CARIBOU	

5. Description of diverting works:

SPRING PIPED TO A STOCK TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	6/01	11/15	0.02	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot		Use	Acres
07S	44E	23	SW	SW	STOCKWATER	

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SOURCE IS KNOWN LOCALY AS MESQUITO SPRINGS.
650 COW/CALF PAIRS

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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document in the space below as General Partner of
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Bear Lake Grazing Company and that the statements contained in the
Organization
foregoing document are true and correct. Lynn C. Keetch
Signature of Authorized Agent

General Partner Bear Lake Grazing Company
Title and Organization

4-8-09
Date

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of April 2009

Jonie M. Barga
Notary Public

Residing at aldaho Falls, ald

My commission Expires July 24, 2013

