



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

August 2, 2010

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

RE: Subcase Nos. 27-11954, 27-11955 & 27-11956 (Blotter)

Dear Jeanette:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced water rights. If the SF5s are acceptable, please sign on the indicated signature lines and initial the revised recommendations. After, signature, please file the original SF5s with the SRBA Court, and provide copies to the parties contained on the Certificate of Mailing. If the documents are filed prior to the August 4 status conference, we likely will be able to have that setting vacated.

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	)	
	)	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/or one federal reserved water right 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/OBJECTOR:
Paul Thomas Blotter

OBJECTOR:
Shoshone-Bannock Tribes

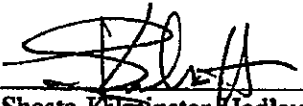
 7-26-10

Jerry R. Rigby Date
Attorney for Claimant/Objector

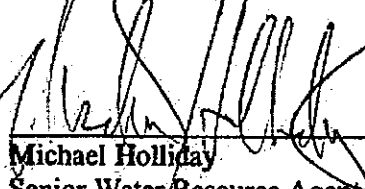
Jeanette Wolfley Date
Attorney for Objector

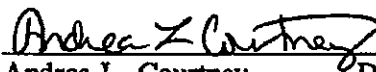
RESPONDENT:

State of Idaho


Shasta Kilminster-Hadley 7/28/10
Attorney for Respondent Date

IDWR Concurrence:


Michael Holliday 8/2/2010
Senior Water Resource Agent Date


Andrea L. Courtney 7/22/10
Deputy Attorney General Date
Attorney for IDWR

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

MWA

SKH

SOURCE:

Source:

UNNAMED STREAM
SPRING

Tributary:

SINKS

QUANTITY:

0.020 CFS

7.300 AFY ~~5.300 AFY~~

ATC SKH

~~Right Nos. 27-11954, 27-11955, and 27-11956 are limited to a total combined annual diversion volume of 5.3 AFY.~~

The rights listed below are limited to a total combined annual diversion volume of 14.3 af. Combined Right Nos.: 27-4075, 27-4124, 27-4126, 27-11901, 27-11954, 27-11955, and 27-11956.

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 SNNSE End of Stream Flow
Within CARIBOU County

~~T08S R44E S20 NESENN Begin 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 7.30 AFY
~~5.30 AFY~~

PLACE OF USE:

STOCKWATER within CARIBOU County

~~T08S R44E S19 SNNSE~~

T08S R44E S19 SENE

T08S R44E S19 NESE

T08S R44E S19 NWSE

T08S R44E S20 SNNW

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.~~

Stockwater use is for 1000 cow/calf pairs, 32 bulls, and 400 yearlings.

AZC JAL

SKH

MWA

CERTIFICATE OF MAILING

I certify that on _____, 2010, 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 DIVISION 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
Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

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	)	
	)	STANDARD FORM 5
	)	
	)	AMENDED CLAIM
	)	FOR DOMESTIC & STOCKWATER
	)	RIGHTS

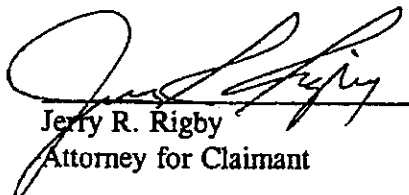
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The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
Paul Thomas Blotter

OBJECTOR:
Shoshone-Bannock Tribes

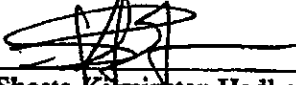
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Jerry R. Rigby Date
Attorney for Claimant

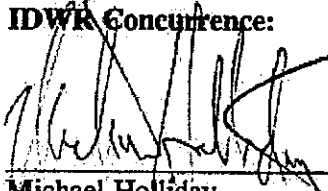
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Shasta Kinnister-Hadley 7/28/10
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Michael Holliday 8/2/2010
Senior Water Resource Agent Date


Andrea L. Courtney 7/22/10
Deputy Attorney General Date
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: UNNAMED STREAM
SPRING

Tributary: SINKS

QUANTITY: 0.020 CFS
7.300 AFY ~~5.300 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 5.3 AF.~~

The rights listed below are limited to a total combined annual diversion volume of 14.3 af. Combined Right Nos.: 27-4075, 27-4124, 27-4126, 27-11901, 27-11954, 27-11955, and 27-11956.

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	<u>05/01 11/01</u>	0.020 CFS <u>7.30 AFY</u>
	~~04/01 11/01~~	~~5.30 AFY~~

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:

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Signature of person or attorney mailing the form

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In Re SRBA

Case No. 39576

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)
)
) STANDARD FORM 5
)
) AMENDED CLAIM
) FOR DOMESTIC & STOCKWATER
) RIGHTS

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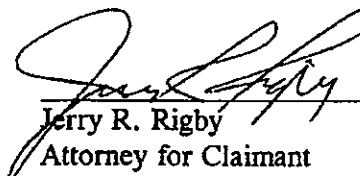
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Jerry R. Rigby
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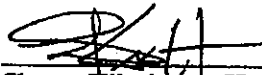
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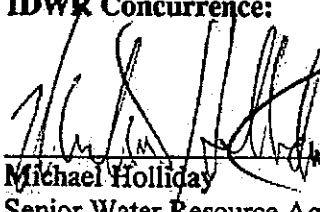
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WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-11956

NAME AND ADDRESS:

PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN UT 84321

AT
JH
SKH

SOURCE:

Source:
SPRING

Tributary:
SINKS

QUANTITY:

0.020 CFS
7.300 AFY 5.30 AFY

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PRIORITY DATE: 09/15/1925

MNH

POINT OF DIVERSION:

T08S R44E S20 NENW
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
STOCKWATER	05/01 11/01	0.020 CFS <u>7.30 AFY</u> 5.30 AFY

PLACE OF USE: STOCKWATER within CARIBOU County
T08S R44E S20 NENW

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

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