



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

September 22, 2010

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

RE: SRBA Subcase Nos. 27-12A & 27-11997 (Coffman)

Dear Jeanette:

I am enclosing a *Stipulation to Resolve Objection* for the above-referenced water rights. If the *Stipulations* are acceptable, please sign on the indicated signature lines and initial the revised recommendations. After signature, please forward the *Stipulations* to Peter Monson for signature and request that he circulate the documents for the remaining signatures.

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

Sincerely,

A handwritten signature in blue ink 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. 27-12A
	)	
Case No. 39576	)	
	)	STIPULATION TO RESOLVE
	)	OBJECTION
_____	)	

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 described as attached, which resolves the Shoshone-Bannock Tribes' place of use objection. **The parties and IDWR acknowledge that the Shoshone-Bannock Tribes' and Bureau of Indian Affairs' objections to the Director's Report concerning an annual irrigation diversion volume are still outstanding.** The parties and IDWR have further indicated their concurrence by initialing the attached pages.

CLAIMANT(s):

Carole J. Coffman Date

Harvey G. Coffman Date

OBJECTORS:

Peter C. Monson, USDOJ Date
Attorney for BIA

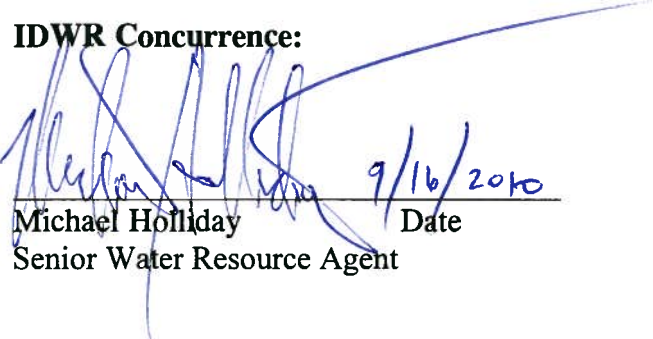
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENTS:

Shasta Kilminster-Hadley Date
Attorney for State of Idaho

Jerry R. Rigby Date
Attorney for Committee of Nine

IDWR 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: 27-12A

NAME AND ADDRESS:

CAROLE J COFFMAN
487 W RIVERTON RD
BLACKFOOT ID 83221

HARVEY G COFFMAN
487 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE:

Source:

BLACKFOOT RIVER

Tributary:

SNAKE RIVER

QUANTITY:

0.960 CFS

PRIORITY DATE:

07/06/1869

POINT OF DIVERSION:

T03S R35E S8 Lot 24 SWNE
Within BINGHAM County

T03S R35E S8 Lot 24 SWNE
Within BINGHAM County

~~T03S R35E S8 Lot 8 SWSENE~~
~~Within BINGHAM County~~

~~T03S R35E S8 Lot 8 SWSENE~~
~~Within BINGHAM County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

IRRIGATION

Period of use:

04/01 10/31

Quantity:

0.960 CFS

PLACE OF USE:

IRRIGATION within BINGHAM County

T03S R35E S08 NWSW 0.6

T03S R35E S08 Lot 5 SWSW 32.0

T03S R35E S17 NWNW 0.8

T03S R35E S17 Lot 1 NWNW 8.2

41.6 ACRES TOTAL

~~T03S R35E S08 NWSW 0.8~~

~~T03S R35E S08 Lot 5 SWSW 33.0~~

~~T03S R35E S17 Lot 1 NWNW 10.5~~

~~44.3 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 41.6 acres in a single irrigation season. Combined Right Nos.: 27-12A and 27-11997.

~~The rights listed below are limited to the irrigation of a combined total of 44.3 acres in a single irrigation season. Combined Right Nos.: 27-12A and 27-11997.~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

WATER IS DELIVERED THROUGH CENTRAL DITCH AND STEVENS DITCH.

AS
MWJ

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:

COMMITTEE OF NINE
Represented by:
BARKER, RSHOLT & 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 DIVISION 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 & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

CAROLE J. COFFMAN
HARVE G. COFFMAN
487 W. RIVERTON RD.
BLACKFOOT, ID 83221

Signature of person or attorney mailing the form

SEP 16 2010

Department of Water Resources
Eastern Region

**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. 27-11997
	)	
Case No. 39576	)	
	)	STIPULATION TO RESOLVE
	)	OBJECTION
_____	)	

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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 this water right should be described as attached, which resolves the Shoshone-Bannock Tribes' place of use objection. **The parties and IDWR acknowledge that the Shoshone-Bannock Tribes' and Bureau of Indian Affairs' objections to the Director's Report concerning an annual irrigation diversion volume are still outstanding.** The parties and IDWR have further indicated their concurrence by initialing the attached pages.

CLAIMANT(s):

Carole J. Coffman Date

Harvey G. Coffman Date

OBJECTORS:

Peter C. Monson, USDOJ Date
Attorney for BIA

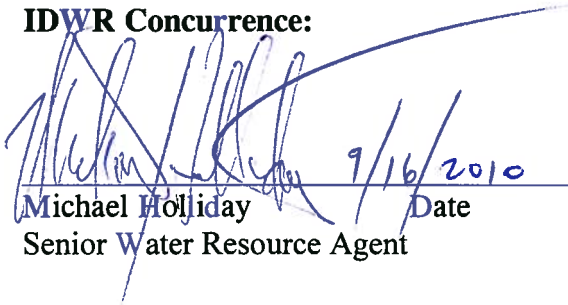
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENTS:

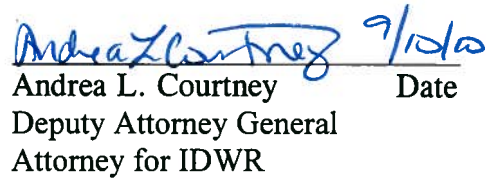
Shasta Kilminster-Hadley Date
Attorney for State of Idaho

Jerry R. Rigby Date
Attorney for Committee of Nine

IDWR 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: 27-11997

NAME AND ADDRESS:

CAROLE J COFFMAN
487 W RIVERTON RD
BLACKFOOT ID 83221

HARVEY G COFFMAN
487 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE:

Source:

BLACKFOOT RIVER

Tributary:

SNAKE RIVER

QUANTITY:

0.100 CFS

PRIORITY DATE:

03/20/1886

POINT OF DIVERSION:

T03S R35E S8 Lot 24 SWNE
Within BINGHAM County

~~T03S R35E S8 Lot 8 SWSNE~~
~~Within BINGHAM County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION within BINGHAM County

T03S R35E S08 NWSW 0.6

~~T03S R35E S08 NWSW 0.8~~

T03S R35E S08 Lot 5 SWSW 32.0

~~T03S R35E S08 Lot 5 SWSW 33.0~~

T03S R35E S17 NWNW 0.8

T03S R35E S17 Lot 1 NWNW 8.2

~~T03S R35E S17 Lot 1 NWNW 10.5~~

41.6 ACRES TOTAL

~~44.3 ACRES TOTAL~~

This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 41.6 acres in a single irrigation season. Combined Right Nos.: 27-12A and 27-11997.

~~This right is limited to the irrigation of 12 acres within the place of use described above in a single irrigation season.~~

~~The rights listed below are limited to the irrigation of a combined total of 44.3 acres in a single irrigation season. Combined Right Nos.: 27-12A and 27-11997.~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

WATER IS DELIVERED THROUGH CENTRAL DITCH.

THIS RIGHT IS PART OF RIGHT 27-37.

AK
MNH

CERTIFICATE OF MAILING

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