

LATE CLAIM DIRECTOR'S REPORT

**Water Right Nos. 24-10668, 24-10711, 24-10712, 24-10727, 24-10787, 24-10790,
24-10791, 24-10792, 24-10793, 24-10794, 24-10795, 24-10796, 24-10797 and 24-10798**

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Carter Fritschle, Manager, Adjudication Section

February 24, 2015

DESCRIPTIVE SUMMARY

This is a Late Claim Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Order for Expedited Late Claim Director's Report and Setting Forth Procedures and Deadlines for Expedited Process* issued by Judge Eric J. Wildman on October 22, 2014 (see Attachment A), as well as the *Order for Expedited Late Claim Director's Report and Setting Forth Procedures and Deadlines for Expedited Process* issued by Judge Eric J. Wildman on November 19, 2014 (see Attachment B), the Director submits this Late Claim Director's Report for water rights 24-10668, 24-10711, 24-10712, 24-10727, 24-10787, 24-10790, 24-10791, 24-10792, 24-10793, 24-10794, 24-10795, 24-10796, 24-10797 and 24-10798.

Respectfully submitted this 24th day of February, 2015.


CARTER FRITSCHLE
Manager, Adjudication Section

RECEIVED

OCT 23 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 22 2014	
By _____	Clerk
	Deputy Clerk

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

Case No. 39576

-) Water Right Nos.: 24-10790, 24-10791, 24-
-) 10792 & 24-10727
-)
-) ORDER GRANTING LATE NOTICE OF
-) CLAIM
-)
-) ORDER FOR EXPEDITED LATE CLAIM
-) DIRECTOR'S REPORT AND
-) SETTING FORTH PROCEDURES AND
-) DEADLINES FOR EXPEDITED PROCESS

On December 1, 2011, this Court entered an *Order* in SRBA subcase no. 00-92099 and Twin Falls County Case No. 39576 closing Basin 24 to the filing of non-deferrable late claims ("*Order*").¹ On July 30, 2014, Chris and Doris Barney filed a *Motion to File Late Notice of Claim* for water right claim 24-10727. On July 31, 2014, Fern Weber, Robert Weber and Kyle Weber filed *Motions to File Late Notice of Claim* for water right claims 24-10790, 24-10791, 24-10792, respectively.² Each *Motion* involves claims for water diverted in the State of Wyoming and used in the State of Idaho. A hearing on the *Motions* was held on October 21, 2014. No one appeared in opposition to the *Motions*.

Following a review of the files and after hearing the comments made in open court, the Court found that the claimants for these water rights had set forth sufficient grounds to justify the setting aside the *Order* closing claims taking in Basin 24 pursuant to Idaho Rule of Civil Procedure 60(b)(6). The justifications and rationale supporting the Court's holding were orally set forth on the record at the October 21, 2014, hearing. Additionally, the Court, for the reasons set forth on the record, found good cause and a meritorious position for the *Motions to File Late*

¹ The *Order* was entitled *Order Closing Claims Taking Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights*.

² All of the *Motions to File Late Notice of Claim* at issue were filed prior to the Court's entry of the SRBA *Final Unified Decree*.

Notice of Claim. At the hearing, it was represented to the Court by the Idaho Department of Water Resources (“IDWR”) that, if granted, these late claims would be candidates for expedited late claim director’s reports.

Accordingly, following a review of the files and after hearing the comments made in open court, the Court makes the following findings:

1. The *Motions to File Late Notice of Claim* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the *Motions*. The Court also notes these *Motions* were filed and pending before the Court prior to its entry of the *SRBA Final Unified Decree*. Although this Court previously entered an *Order* closing Basin 24 to the filing of late claims generally, the Court finds that the claimants have set forth sufficient grounds to justify the setting aside of that *Order* for the limited purposes of allowing the filing of the instant late claims.

2. In limited circumstances it is preferable to have a *Late Claims Director’s Report* for certain late claims individually prepared and filed. This is on a case-by-case basis and provided IDWR does not oppose preparing and filing an expedited *Late Claims Director’s Report*.

3. In this case IDWR does not oppose preparing and filing an expedited *Late Claim Director’s Report* for the late claim, given that the final regularly scheduled SRBA late claims director’s report was filed December 31, 2013.

4. This Court therefore finds that under the circumstances the issuance of expedited *Late Claim Director’s Reports* for the above-captioned claim is appropriate.

THEREFORE, IT IS HEREBY ORDERED that this Court’s *Order Closing Claims Taking Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights* dated December 1, 2011, **is hereby set aside** for the limited purpose of allowing for the filing of the instant *Motions to File Late Notice of Claim*.

IT IS HEREBY FURTHER ORDERED that the *Motions to File a Late Notice of Claim* for the above-captioned water right claims are **granted**.

IT IS HEREBY FURTHER ORDERED that the Director issue an expedited *Late Claim Director's Report* for the above-captioned water right claims, and that the parties abide by the following schedule with respect to the late claims:

1. Deadline for filing *Late Claim Director's Report*: The Director shall file an original of the *Late Claim Director's Report* for the above-captioned water right claims with this Court on or before **February 27, 2015**, and shall distribute for display and review at least one (1) copy of the *Late Claim Director's Report* to the office of the clerk of the district court for each county in which any part of the water system is located, together with a copy of this **Order**. The Director shall also serve on each claimant or the claimant's attorney a notice of filing of the *Late Claim Director's Report*. Last, the Director shall file with the Court an affidavit demonstrating compliance with the notice requirements of Idaho Code § 42-1411(6).

2. Deadline for the filing of objections to *Late Claim Director's Report*: Any party wishing to file an objection to the *Late Claim Director's Report* may do so on or before **March 27, 2015**.

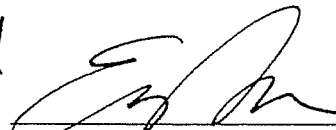
3. Deadline for the filing of responses to objections to *Late Claim Director's Report*: Responses to objections to the *Late Claim Director's Report* must be filed on or before **April 17, 2015**.

4. Hearing on uncontested claim: In the event no objections are filed, the Court will hold a hearing on the entry of the *Partial Decree* as required by I.C. § 42-1412(7). **NOTICE IS HEREBY GIVEN** that the hearing will be held on **April 21, 2015, at 1:30 p.m. (Mountain Time)**, at the Snake River Basin Adjudication District Court, 253 - 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing the number 1-215-446-0193 and when prompted entering code 406128#.

5. Publication of Notice: The clerk of the court is instructed to publish a notice of the issuance of this order, together with the applicable objection, response and hearing dates, on the November 2014 docket sheet.

IT IS SO ORDERED.

Dated October 22, 2014


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING LATE NOTICE OF CLAIM / ORDER FOR EXPEDITED LATE CLAIM DIRECTOR'S REPORT AND SETTING DEADLINES was mailed on October 22, 2014, with sufficient first-class postage to the following:

ROBERT F WEBER
PO BOX 123
FREEDOM, WY 83120
Phone: 208-873-2936

FERN WEBER
PO BOX 232
FREEDOM, WY 83120
Phone: 208-873-2347

KYLE WEBER
PO BOX 314
FREEDOM, WY 83120
Phone: 208-248-0337

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CHRIS BARNEY
DORIS BARNEY
3660 MCDONALD RD
WAPATO, WA 98951
Phone: 509-877-3651

RECEIVED

NOV 20 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 19 2014	
By _____	Clerk _____
_____	Deputy Clerk _____

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

Case No. 39576

) Water Right Nos.: 24-10668, 24-10711, 24-
) 10712, 24-10787, 24-10793, 24-10794, 24-
) 10795, 24-10796, 24-10797, and 24-10798
)
) ORDER GRANTING LATE NOTICE OF
) CLAIM
)
) ORDER FOR EXPEDITED LATE CLAIM
) DIRECTOR'S REPORT AND
) SETTING FORTH PROCEDURES AND
) DEADLINES FOR EXPEDITED PROCESS
)

On December 1, 2011, this Court entered an *Order* in SRBA subcase no. 00-92099 and Twin Falls County Case No. 39576 closing Basin 24 to the filing of non-deferrable late claims ("*Order*").¹ Claimants for the above-captioned water right claims subsequently filed *Motions to File Late Notice of Claim* for the claims.² Each *Motion* involves claims for water diverted in the State of Wyoming and used in the State of Idaho. A hearing on the *Motions* was held on November 18, 2014. No one appeared in opposition to the *Motions*.

Following a review of the files and after hearing the comments made in open court, the Court found that the claimants for these water rights had set forth sufficient grounds to justify setting aside the *Order* closing claims taking in Basin 24 pursuant to Idaho Rule of Civil Procedure 60(b)(6). The justifications and rationale supporting the Court's holding were orally set forth on the record at the November 18, 2014, hearing. Additionally, the Court, for the reasons set forth on the record, found good cause and a meritorious position for the *Motions to*

¹ The *Order* was entitled *Order Closing Claims Taking Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights*.

² All of the *Motions to File Late Notice of Claim* at issue were filed prior to the Court's entry of the SRBA *Final Unified Decree*.

File Late Notice of Claim. At the hearing, it was represented to the Court by the Idaho Department of Water Resources (“IDWR”) that, if granted, these late claims would be candidates for expedited late claim director’s reports.

Accordingly, following a review of the files and after hearing the comments made in open court, the Court makes the following findings:

1. The *Motions to File Late Notice of Claim* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the *Motions*. The Court also notes these *Motions* were filed and pending before the Court prior to its entry of the *SRBA Final Unified Decree*. Although this Court previously entered an *Order* closing Basin 24 to the filing of late claims generally, the Court finds that the claimants have set forth sufficient grounds to justify the setting aside of that *Order* for the limited purposes of allowing the filing of the instant late claims.

2. In limited circumstances it is preferable to have a *Late Claims Director’s Report* for certain late claims individually prepared and filed. This is on a case-by-case basis and provided IDWR does not oppose preparing and filing an expedited *Late Claims Director’s Report*.

3. In this case IDWR does not oppose preparing and filing an expedited *Late Claim Director’s Report* for the late claims, given that the final regularly scheduled SRBA late claims director’s report was filed December 31, 2013.

4. This Court therefore finds that under the circumstances the issuance of expedited *Late Claim Director’s Reports* for the above-captioned claims is appropriate.

THEREFORE, IT IS HEREBY ORDERED that this Court’s *Order Closing Claims Taking Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights* dated December 1, 2011, **is hereby set aside** for the limited purpose of allowing for the filing of the instant *Motions to File Late Notice of Claim*.

IT IS HEREBY FURTHER ORDERED that the *Motions to File a Late Notice of Claim* for the above-captioned water right claims are **granted**. The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to IDWR for further action.

IT IS HEREBY FURTHER ORDERED that the Director issue an expedited *Late Claim Director's Report* for the above-captioned water right claims, and that the parties abide by the following schedule with respect to the late claims:

1. Deadline for filing *Late Claim Director's Report*: The Director shall file an original of the *Late Claim Director's Report* for the above-captioned water right claims with this Court on or before **February 27, 2015**, and shall distribute for display and review at least one (1) copy of the *Late Claim Director's Report* to the office of the clerk of the district court for each county in which any part of the water system is located, together with a copy of this *Order*. The Director shall also serve on each claimant or the claimant's attorney a notice of filing of the *Late Claim Director's Report*. Last, the Director shall file with the Court an affidavit demonstrating compliance with the notice requirements of Idaho Code § 42-1411(6).

2. Deadline for the filing of objections to *Late Claim Director's Report*: Any party wishing to file an objection to the *Late Claim Director's Report* may do so on or before **March 27, 2015**.

3. Deadline for the filing of responses to objections to *Late Claim Director's Report*: Responses to objections to the *Late Claim Director's Report* must be filed on or before **April 17, 2015**.

4. Hearing on uncontested claim: In the event no objections are filed, the Court will hold a hearing on the entry of the *Partial Decree* as required by I.C. § 42-1412(7). **NOTICE IS HEREBY GIVEN** that the hearing will be held on **April 21, 2015, at 1:30 p.m. (Mountain Time)**, at the **Snake River Basin Adjudication District Court, 253 - 3rd Avenue North, Twin Falls, Idaho**. Parties may participate by telephone by dialing the number 1-215-446-0193 and when prompted entering code 406128#.

5. Publication of Notice: The clerk of the court is instructed to publish a notice of the issuance of this order, together with the applicable objection, response and hearing dates, on the December 2014 docket sheet.

IT IS SO ORDERED.

Dated November 19, 2014



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING LATE NOTICE OF CLAIM / ORDER FOR EXPEDITED LATE CLAIM DIRECTOR'S REPORT & SETTING PROCEDURES & DEADLINES was mailed on November 19, 2014, with sufficient first-class postage to the following:

LYNDEN JENKINS
BOX 171
FREEDOM, WY 83120
Phone: 208-873-2888

LUCILLE JENKINS
BOX 215
FREEDOM, WY 83120
Phone: 208-873-2888

GARY O HOKANSON
BOX 251
FREEDOM, WY 83120
Phone: 307-413-4763

FOUR STAR INVESTMENTS LP
C/O ALLEN R HOOPES
PO BOX 226
FREEDOM, WY 83120
Phone: 307-880-6000

DIANE SHARP
RONALD SHARP
PO BOX 139
FREEDOM, WY 83120
Phone: 913-620-1470

BORDEN JENKINS
PO BOX 215
FREEDOM, WY 83120

ALLEN B LUTHI
ANN S LUTHI
PO BOX 223
FREEDOM, WY 83120
Phone: 307-880-0134

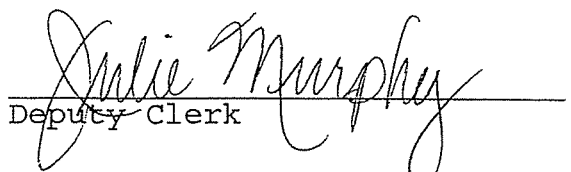
MARSHA HADERLIE
PO BOX 233
FREEDOM, WY 83120
Phone: 307-248-2747

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ANNETTE LUTHI
4001 STATELINE RD
FREEDOM, WY 83120
Phone: 208-873-2624

H MARTELL BROWER
65 STATELINE RD
FREEDOM, WY 83120
Phone: 208-873-2635

J FRED WRIGHT
JACQUELINE M WRIGHT
910 CASTEC DR
SACRAMENTO, CA 95864
Phone: 916-283-6955



Star Valley Late Claims Name Index

	Name	Claim No.	Status
BARNEY	CHRIS	24 10727	Recommended
BARNEY	DORIS	24 10727	Recommended
BROWER	H MARTELL	24 10794	Recommended
FOUR STAR INVESTMENTS LP		24 10798	Recommended
HADERLIE	MARSHA	24 10793	Recommended
HOKANSON	GARY O	24 10795	Recommended
JENKINS	BORDEN	24 10712	Recommended
JENKINS	LUCILLE	24 10711	Recommended
JENKINS	LYNDEN	24 10711	Recommended
LOWRY	GREG	24 10796	Recommended
LOWRY	KAREN	24 10796	Recommended
LUTHI	ANNETTE H	24 10797	Recommended
SHARP	DIANE	24 10668	Recommended
SHARP	RONALD	24 10668	Recommended
WEBER	FERN	24 10790	Recommended
WEBER	KYLE	24 10792	Recommended
WEBER	ROBERT F	24 10791	Recommended
WRIGHT FAMILY TRUST		24 10787	Recommended

02/03/2015

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

RIGHT NUMBER: 24-10668
NAME AND ADDRESS: DIANE SHARP
PO BOX 139
FREEDOM WY 83120
RONALD SHARP
PO BOX 139
FREEDOM WY 83120

SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.590 CFS

PRIORITY DATE: 08/05/1933

POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
T05S R46E S22 Lot 1 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian
The points of diversion shown above are where the conveyance systems
enter Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/31	2.590 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S15	NENW	2.50	T05S R46E S15	NWNW	21.00
T05S R46E S15	SWNW	40.00	T05S R46E S15	SENW	22.00
T05S R46E S15	NESW	14.00	T05S R46E S15	NWSW	17.00
T05S R46E S16	NENE	10.00	T05S R46E S16	SENE	18.00
T05S R46E S16	NESE	12.00			

156.5 ACRES TOTAL

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 - License

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

This right is based on two Wyoming Certificates of Appropriation of Water
under Permit No. 5832.

Parcel Nos. 05S46E161200, 05S46E153500, 05S46E154100 and
05S46E154250

02/03/2015

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

RIGHT NUMBER: 24-10711

NAME AND ADDRESS: LYNDEN JENKINS
BOX 171
FREEDOM WY 83120

LUCILLE JENKINS
BOX 215
FREEDOM WY 83120

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.010 CFS

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

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S22 Lot 1 Within CARIBOU County

The point of diversion for this water right is in Wyoming, T34N R119W, S04 NESE, Sixth Principal Meridian.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.010 CFS
DOMESTIC	04/15 10/31	0.010 CFS
STOCKWATER	04/15 10/31	0.010 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S15 Lot 3 0.50

STOCKWATER in CARIBOU County

T05S R46E S15 Lot 3

DOMESTIC in CARIBOU County

T05S R46E S15 Lot 3

0.5 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under Permit No. 5832.

Parcel No. 05S46E158150

02/03/2015

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

RIGHT NUMBER: 24-10712

NAME AND ADDRESS: BORDEN JENKINS
PO BOX 215
FREEDOM WY 83120

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.670 CFS

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

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S22 Lot 1 Within CARIBOU County

The point of diversion for this water right is in Wyoming, T34N R119W, S04 NESE, Sixth Principal Meridian.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/31	0.020 CFS
IRRIGATION	04/15 10/31	0.670 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S15 Lot 3 3.00

T05S R46E S15 Lot 4 18.00

T05S R46E S22 Lot 1 13.00

STOCKWATER in CARIBOU County

T05S R46E S15 Lot 3

T05S R46E S15 Lot 4

T05S R46E S22 Lot 1

34 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - License

Parcel Nos. 05S46E158160 and 05S46E220601

This right is based on a Wyoming Certificate of Appropriation of Water under Permit No. 5832.

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

02/03/2015

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

RIGHT NUMBER: 24-10727

NAME AND ADDRESS: CHRIS BARNEY
3660 MCDONALD RD
WAPATO WA 98951

DORIS BARNEY
3660 MCDONALD RD
WAPATO WA 98951

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.015 CFS

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

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S22 Lot 1 Within CARIBOU County

The point of diversion for this water right is in Wyoming, T34N R119W, S04 NESE, Sixth Principal Meridian.
The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.015 CFS
STOCKWATER	04/15 10/31	0.015 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S15 Lot 3 1.20

STOCKWATER in CARIBOU County

T05S R46E S15 Lot 3

1.2 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - License

Parcel No. 05S46E15E7801

This right is based on a Wyoming Certificate of Appropriation of Water under Permit No. 5832.

02/03/2015

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

RIGHT NUMBER: 24-10787
NAME AND ADDRESS: WRIGHT FAMILY TRUST
910 CASTEC DR
SACRAMENTO CA 95864
SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.030 CFS
PRIORITY DATE: 08/05/1933
POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in CARIBOU County
T05S R46E S15 Lot 3 2.50

2.5 ACRES TOTAL

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5832.

02/03/2015

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

RIGHT NUMBER: 24-10790
NAME AND ADDRESS: FERN WEBER
PO BOX 232
FREEDOM WY 83120

SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.110 CFS
PRIORITY DATE: 08/05/1933

POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
T05S R46E S22 Lot 1 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian.
The points of diversion shown above are where the conveyance systems
enter Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.110 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T05S R46E S15 NESW 14.00	T05S R46E S15 NWSW	21.00
	T05S R46E S15 SWSW 17.00	T05S R46E S15 SESW	25.00

77 ACRES TOTAL

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 - License

Parcel No. 05S46E155000

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5832.

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

02/03/2015

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

RIGHT NUMBER: 24-10791
NAME AND ADDRESS: ROBERT F WEBER
PO BOX 123
FREEDOM WY 83120
SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.290 CFS
PRIORITY DATE: 08/05/1933
POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.310 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T05S R46E S15 Lot 2 8.30	T05S R46E S15 Lot 3 5.00	
	T05S R46E S15 SENW 5.80	T05S R46E S15 NESW 1.40	
	20.5 ACRES TOTAL		

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5832.

Parcel Nos. 05S46E154300 and 05S46E151400

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

02/03/2015

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

RIGHT NUMBER: 24-10792
NAME AND ADDRESS: KYLE WEBER
PO BOX 314
FREEDOM WY 83120
SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.170 CFS
PRIORITY DATE: 08/05/1933
POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.170 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T05S R46E S15 Lot 1 18.00	T05S R46E S15 Lot 2 26.00	
	T05S R46E S15 Lot 3 6.00	T05S R46E S15 NENW 19.00	
	T05S R46E S15 SENW 13.00		
	82 ACRES TOTAL		

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5832.

Parcel Nos. 05S46E152500 and 05S46E151000

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

02/03/2015

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

RIGHT NUMBER: 24-10793

NAME AND ADDRESS: MARSHA HADERLIE
PO BOX 233
FREEDOM WY 83120

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County

The point of diversion for this water right is in Wyoming, T34N R119W, S04
NESE, Sixth Principal Meridian
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.130 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S15 Lot 1 3.80

T05S R46E S15 Lot 2 3.10

6.9 ACRES TOTAL

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 - License

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

This right is based on two Wyoming Certificates of Appropriation of Water
under Permit No. 5832.

Parcel Nos. 05S46E151100 and 05S46E1512501

02/03/2015

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

RIGHT NUMBER: 24-10794
NAME AND ADDRESS: H MARTELL BROWER
65 STATELINE RD
FREEDOM WY 83120
SOURCE: TINCUP CREEK TRIBUTARY: SALT RIVER
QUANTITY: 0.540 CFS
PRIORITY DATE: 01/17/1955
POINT OF
DIVERSION: T04S R46E S34 Lot 3 Within BONNEVILLE County
The point of diversion for this water right is in Wyoming, T35N, R119W, S16,
NENW, Lot 1, Sixth Principle Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.540 CFS
PLACE OF USE:	<u>IRRIGATION in BONNEVILLE County</u>		
	T04S R46E S27 Lot 3 NWSE	43.00	T04S R46E S27 Lot 4 SWSE 43.00
	T04S R46E S34 Lot 1 NWNE	43.00	T04S R46E S34 Lot 2 SWNE 15.00

144 ACRES TOTAL

This right is limited to the irrigation of 37.7 acres within the place of use
described above in a single irrigation season.

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 - License

This right is based on Wyoming Certificates of Appropriation of Water under
Permit Nos. 5791 and 5792.

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

Parcel Nos. RP04S46E278929, RP04S46E277848 and RP04S46E340602

02/03/2015

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

RIGHT NUMBER: 24-10795

NAME AND ADDRESS: GARY O HOKANSON
BOX 251
FREEDOM WY 83120

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.010 CFS

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

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S22 Lot 1 Within CARIBOU County

The point of diversion for this water right is in Wyoming, T34N R119W, S04 NESE, Sixth Principal Meridian

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/31	0.010 CFS
DOMESTIC	04/15 10/31	0.010 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER in CARIBOU County

T05S R46E S15 Lot 3

DOMESTIC in CARIBOU County

T05S R46E S15 Lot 3

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under Permit No. 5832.

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

Property is also known as Lot 8, Freedom Townsite.

Stockwater use is for up to 6 head of mixed stock.

Parcel No. 05S46E157950

02/03/2015

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

RIGHT NUMBER: 24-10796
NAME AND ADDRESS: KAREN LOWRY
PO BOX 163
FREEDOM WY 83120
GREG LOWRY
PO BOX 163
FREEDOM WY 83120

SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.860 CFS
PRIORITY DATE: 08/05/1933

POINT OF
DIVERSION: T05S R46E S15 Lot 1 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T35N, R119W, S33,
NESE, Sixth Principle Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.860 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S10 Lot 3	22.00	T05S R46E S10 Lot 4	7.50
T05S R46E S10	NESW 20.00	T05S R46E S10	SESW 6.10
55.6 ACRES TOTAL			

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 - License

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

Parcel No. 05S46E105000

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5840.

02/03/2015

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

RIGHT NUMBER: 24-10797

NAME AND ADDRESS: ANNETTE H LUTHI
4001 STATELINE RD
FREEDOM WY 83120

SOURCE: SALT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.160 CFS

PRIORITY DATE: 08/05/1933

POINT OF

DIVERSION: T05S R46E S15 Lot 1 Within CARIBOU County

T05S R46E S22 Lot 1 Within CARIBOU County

The points of diversion for this water right are in Wyoming, T34N, R119W, S04, NESE, Sixth Principle Meridian, and T35N, R119W, S33, NESE, Sixth Principle Meridian.

The points of diversion shown above are where the conveyance systems enter Idaho.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.160 CFS

PLACE OF USE: IRRIGATION in CARIBOU County

T05S R46E S10 Lot 4 35.00

T05S R46E S10

SESW 30.00

T05S R46E S15 Lot 1 20.00

T05S R46E S15

NENW 17.00

102 ACRES TOTAL

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under Permit No. 5832, and a Wyoming Certificate of Appropriation of Water under Permit No. 5840.

Parcel Nos. 05S46E107000 and 05S46E150601

02/03/2015

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

RIGHT NUMBER: 24-10798
NAME AND ADDRESS: FOUR STAR INVESTMENTS LP
PO BOX 226
FREEDOM WY 83120
SOURCE: SALT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 08/05/1933
POINT OF
DIVERSION: T05S R46E S15 Lot 2 Within CARIBOU County
The point of diversion for this water right is in Wyoming, T34N, R119W, S04,
NESE, Sixth Principle Meridian.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.080 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T05S R46E S15 Lot 2 4.50	T05S R46E S15 Lot 3 0.80	

5.3 ACRES TOTAL

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 - License

This right is based on a Wyoming Certificate of Appropriation of Water under
Permit No. 5832.

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

CERTIFICATE OF SERVICE

I certify that on February 24, 2015, I caused to be served a true and correct copy of this Late Claim Director's Report, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Bonneville County Courthouse
605 N Capital Avenue
Idaho Falls, ID 83402

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Caribou County Courthouse
159 S. Main Street
Soda Springs, ID 83276

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☒ Regular Mail
☐ Hand-Delivered
☐ E-Mail

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Ronald Sharp
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Lucille Jenkins
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Karen Lowry
Greg Lowry
P.O. Box 163
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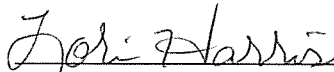
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Signature of person mailing the form