

HO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-11317

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: CHUBB SPRINGS
JARVIS SPRING
WILLOW SPRING

TRIBUTARY: MEADOW CREEK
TRIBUTARY: SINKS
TRIBUTARY: SINKS

QUANTITY: ~~4.580~~ ^{1.89} CFS

PRIORITY DATE: 04/01/1934

POINT OF DIVERSION:

T05S R42E S10 SWSENE Within CARIBOU County
T05S R42E S10 NENESE Within CARIBOU County
T05S R42E S11 SESWNW Within CARIBOU County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/01 10/30	4.420 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

T05S R42E S10	NESE	T05S R42E S10	SESE
T05S R42E S11	NWSW	T05S R42E S11	SWSW
T05S R42E S14	NENW	T05S R42E S14	NWNW
T05S R42E S14	SWNW	T05S R42E S14	SESW
T05S R42E S14	NESW	T05S R42E S14	NWSW
T05S R42E S14	SWSW	T05S R42E S14	SESW
T05S R42E S23	NWNW		

IRRIGATION Within CARIBOU County

T05S R42E S10	SENE	0.5-0	T05S R42E S10	NESE	31.2-26.3
T05S R42E S10	SESE	17.5-20.3	T05S R42E S11	NWSW	31.5-10.4
T05S R42E S11	SWSW	38.8-27.9	T05S R42E S11	SESW	17.1-0
T05S R42E S14	NWNE	2.0-0	T05S R42E S14	SWNE	0.3-0
T05S R42E S14	NENW	33.0-0	T05S R42E S14	NWNW	35.0-9.4
T05S R42E S14	SWNW	2.5-0	T05S R42E S14	SESW	1.0
T05S R42E S15	NENE	10.6-0			

Total acres = 94.3

DOMESTIC Within CARIBOU County

T05S R42E S11 SWSW

94.3 - 221 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: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT

TO SECTION 42-1425, IDAHO CODE.

Water Right 27-11317

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-11317

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: CHUBB SPRINGS
JARVIS SPRING
WILLOW SPRING

TRIBUTARY: MEADOW CREEK
TRIBUTARY: SINKS
TRIBUTARY: SINKS

QUANTITY: ~~4.580~~ CFS

PRIORITY DATE: 04/01/1934

POINT OF DIVERSION:

T05S R42E S10 SWSENE Within CARIBOU County
T05S R42E S10 NENESE Within CARIBOU County
T05S R42E S11 SESWNW Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/01 10/30	4.420 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE:

STOCKWATER Within CARIBOU County

T05S R42E S10	NESE	T05S R42E S10	SESE
T05S R42E S11	NWSW	T05S R42E S11	SWSW
T05S R42E S14	NENW	T05S R42E S14	NNNW
T05S R42E S14	SWNW	T05S R42E S14	SENW
T05S R42E S14	NESW	T05S R42E S14	NWSW
T05S R42E S14	SWSW	T05S R42E S14	SESW
T05S R42E S23	NNNW		

IRRIGATION Within CARIBOU County

T05S R42E S10	SENE	0.50	T05S R42E S10	NESE	31.2 26.3
T05S R42E S10	SESE	12.5 20.3	T05S R42E S11	NWSW	31.5 10.4
T05S R42E S11	SWSW	38.8 27.9	T05S R42E S11	SESW	17.1 0
T05S R42E S14	NWNE	2.0 0	T05S R42E S14	SWNE	0.3 0
T05S R42E S14	NENW	33.0 0	T05S R42E S14	NNNW	35.0 9.4
T05S R42E S14	SWNW	2.5 0	T05S R42E S14	SENW	1.0
T05S R42E S15	NENE	10.6 0			

DOMESTIC Within CARIBOU County

T05S R42E S11 SWSW

94.3 221 ACRES TOTAL

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

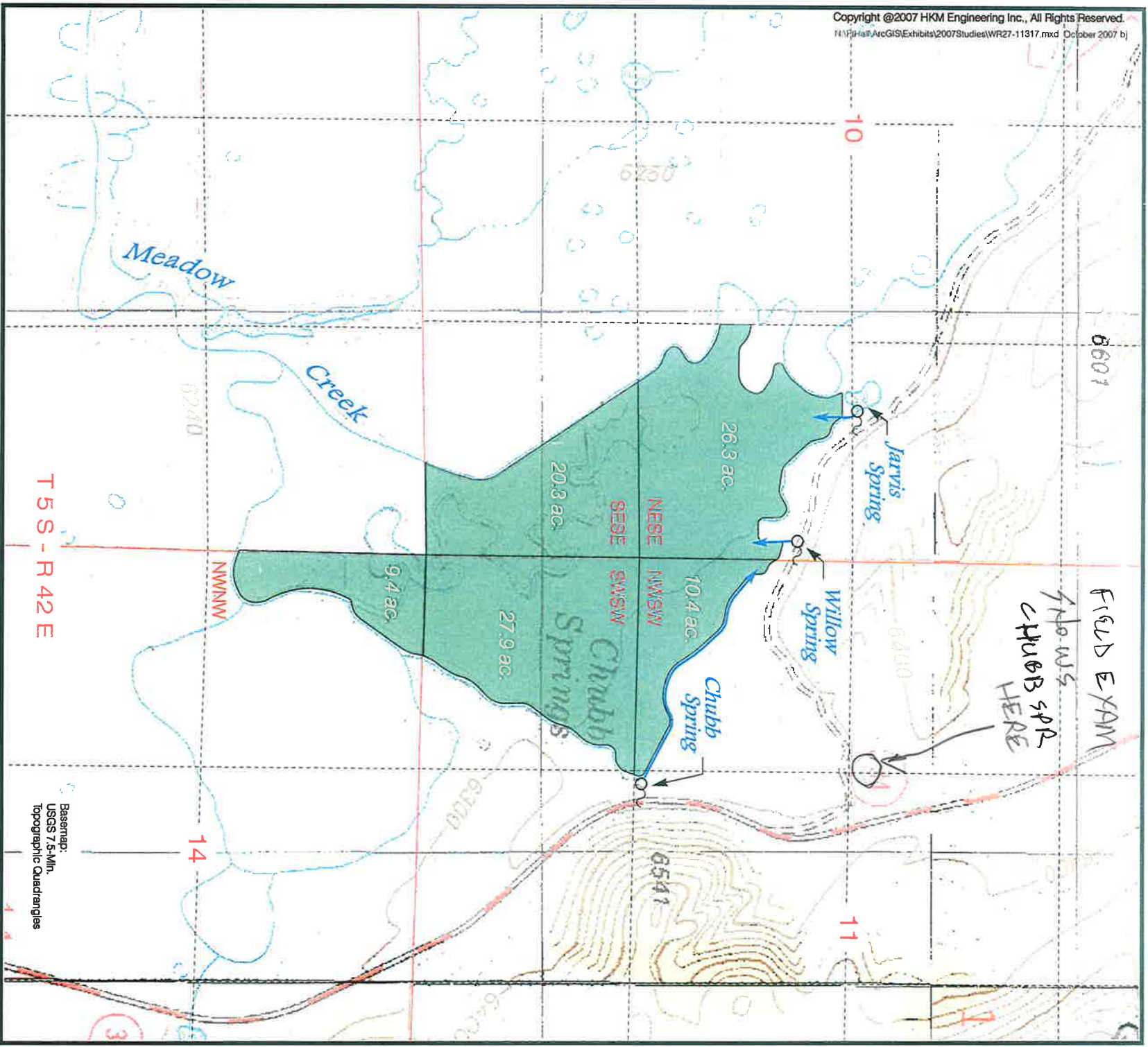
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT

TO SECTION 42-1425, IDAHO CODE.

Water Right 27-11317

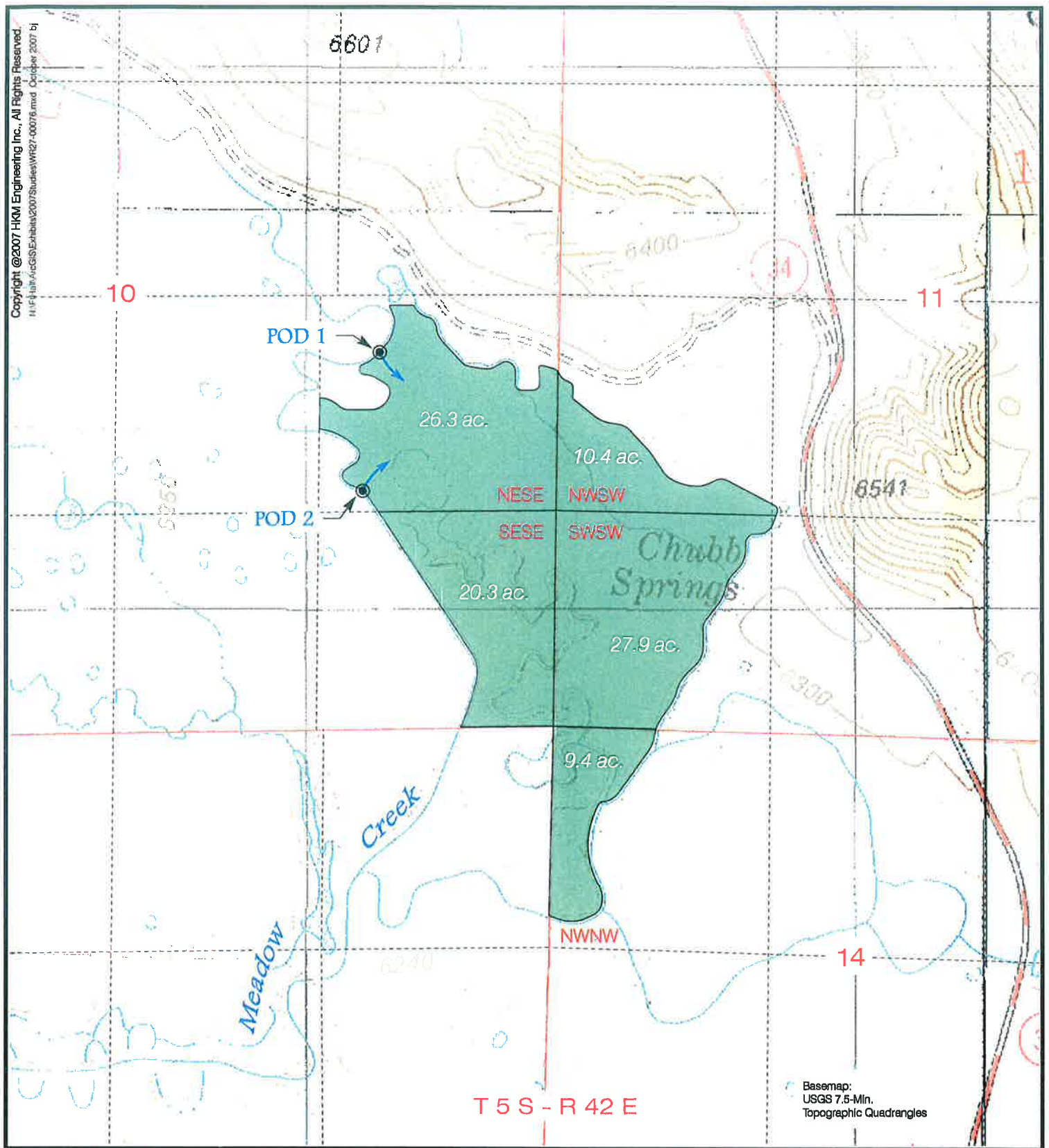


Legend

- Place of Use W.R. Claim #27-11317
- Irrigation Ditch
- Spring Diversion Points
- PLS Qtr-Ctrs

State of Idaho - IDWR
Water Right Claim #27-11317





Legend

- Place of Use W.R. Claim #27-00076
- Irrigation Ditch
- Meadow Cr. Diversion Points
- PLS Qtr-Qtrs



0 400 800 1,600 2,400 Feet

State of Idaho - IDWR
 Water Right Claim #27-00076

07/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-76

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: MEADOW CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 4.440 CFS

PRIORITY DATE: 01/01/1891

POINT OF DIVERSION:

T05S R42E S10 SWSENE Begin of Stream Flow Within CARIBOU County
T05S R42E S10 NWNESE Within CARIBOU County
T05S R42E S10 SWNESE Within CARIBOU County
T05S R42E S14 NWSWNE End of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 07/01	4.420 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R42E S10	SENE	0.5	T05S R42E S10	NESE	31.2
T05S R42E S10	SESE	17.5	T05S R42E S11	NWSW	31.5
T05S R42E S11	SWSW	38.8	T05S R42E S11	SWSW	17.1
T05S R42E S14	NWNE	2.0	T05S R42E S14	SWNE	0.3
T05S R42E S14	NENW	33.0	T05S R42E S14	NWNW	35.0
T05S R42E S14	SWNW	2.5	T05S R42E S14	SENW	1.0
T05S R42E S15	SWSW	10.6			

STOCKWATER Within CARIBOU County

T05S R42E S10	SENE	T05S R42E S10	NESE
T05S R42E S10	SESE	T05S R42E S15	NESE

221 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.

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1977 TO 2004.

EXPLANATORY MATERIAL: **Decreed**

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.



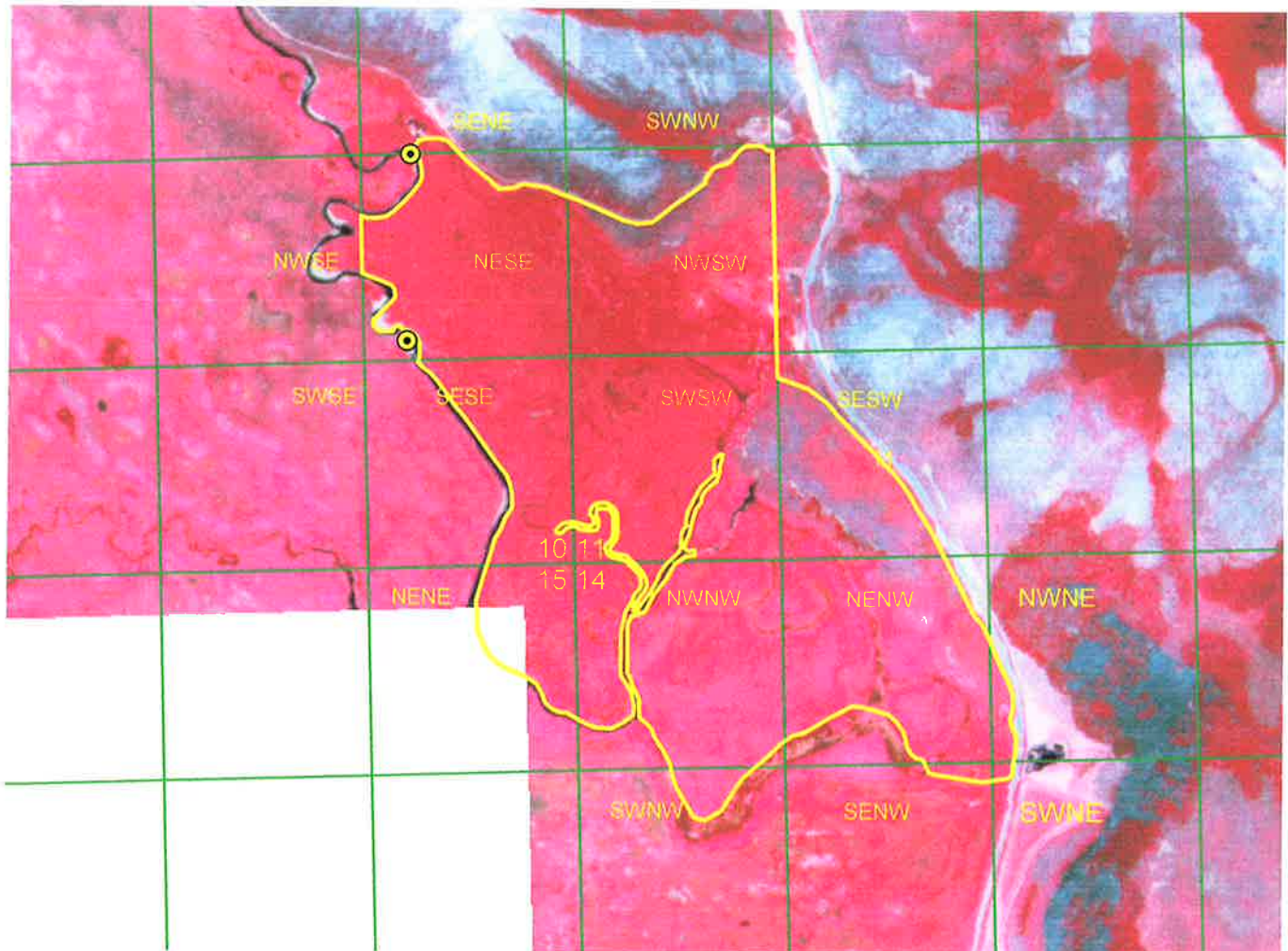
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-76



800 0 800 1600 Feet

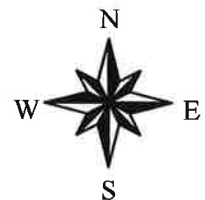
IRRIGATED ACRES 221.0

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T5S, R42E:
(part of) Sec. 10, NESE, SESE.
(part of) Sec. 11, NWSW, SWSW, SESW.
(part of) Sec. 15, NENE.
(part of) Sec. 14, NWNW,
NENW, SWNW, SENW.

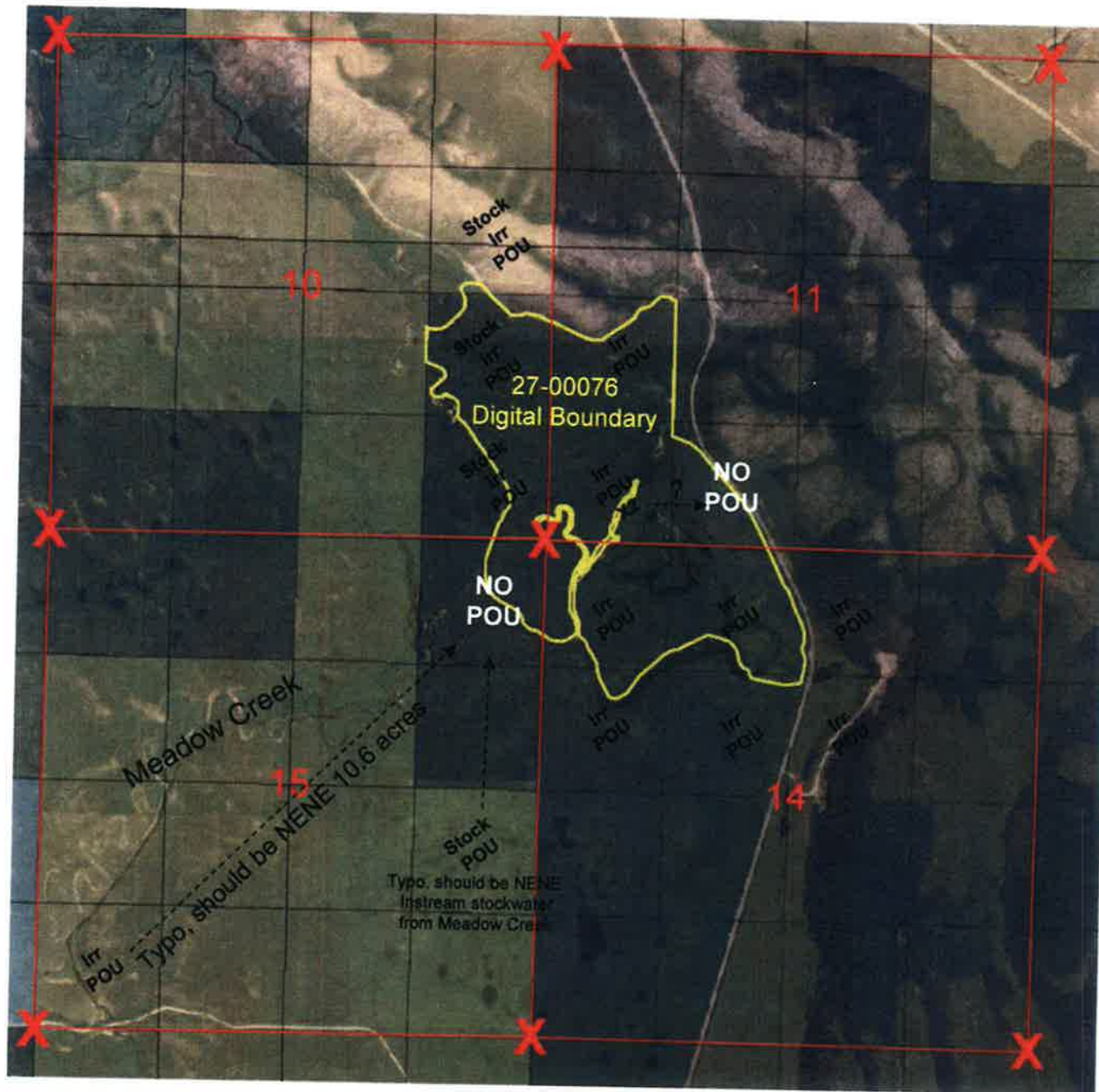
Point(s) of Diversion: T5S, R42E:
Sec. 10, NWNESE, SWNESE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: July 2004

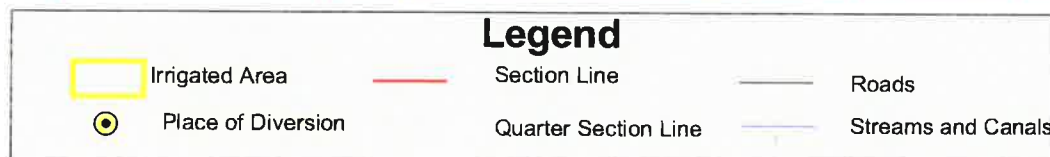
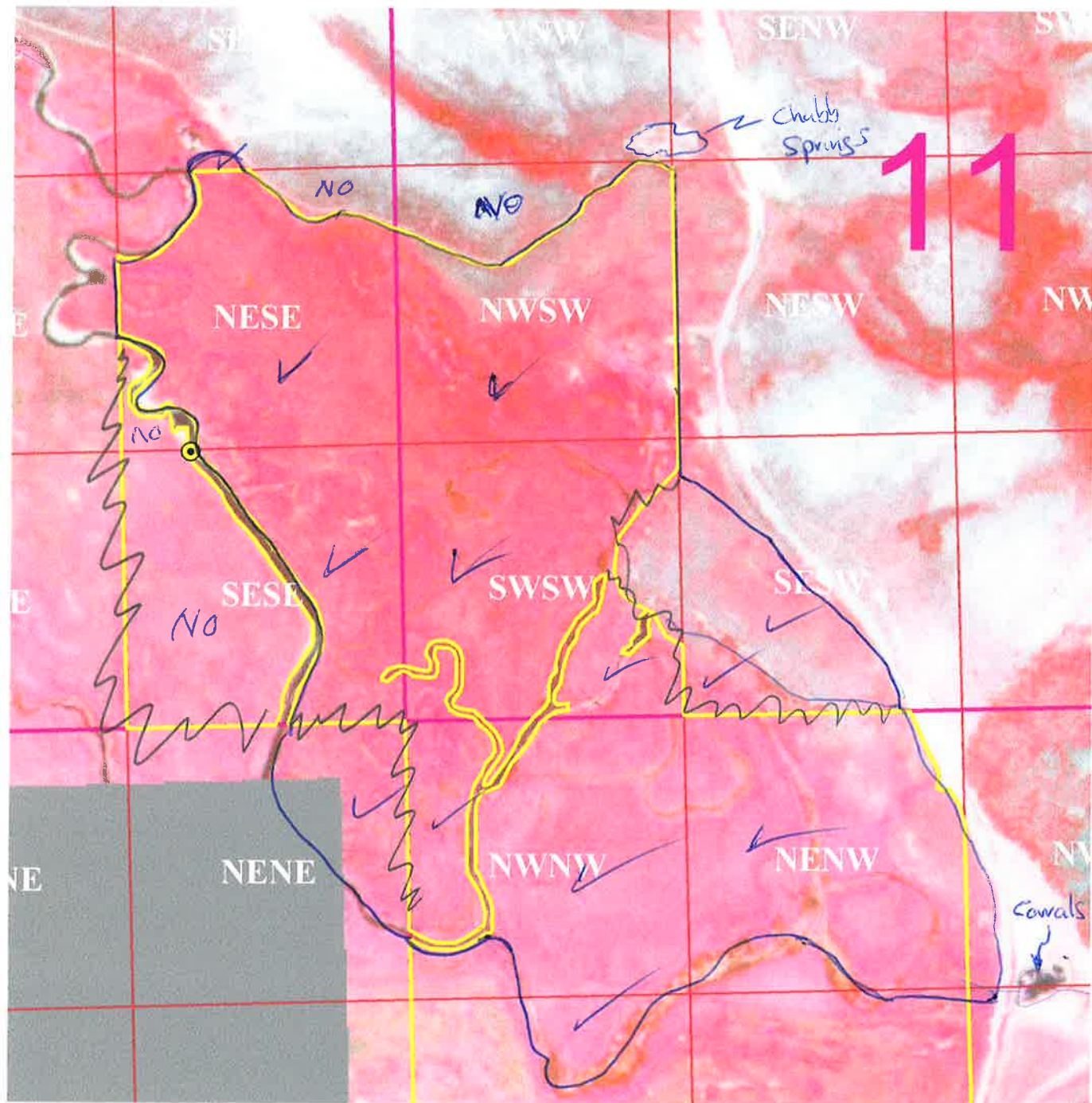
JAN 23 2006

27-00076; T05S R42E



Water Right Claim Number 27-00076
Township , 5S42E

11/29/2000



500 0 500 1000 Feet

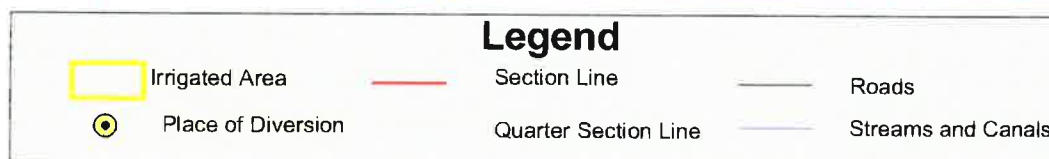
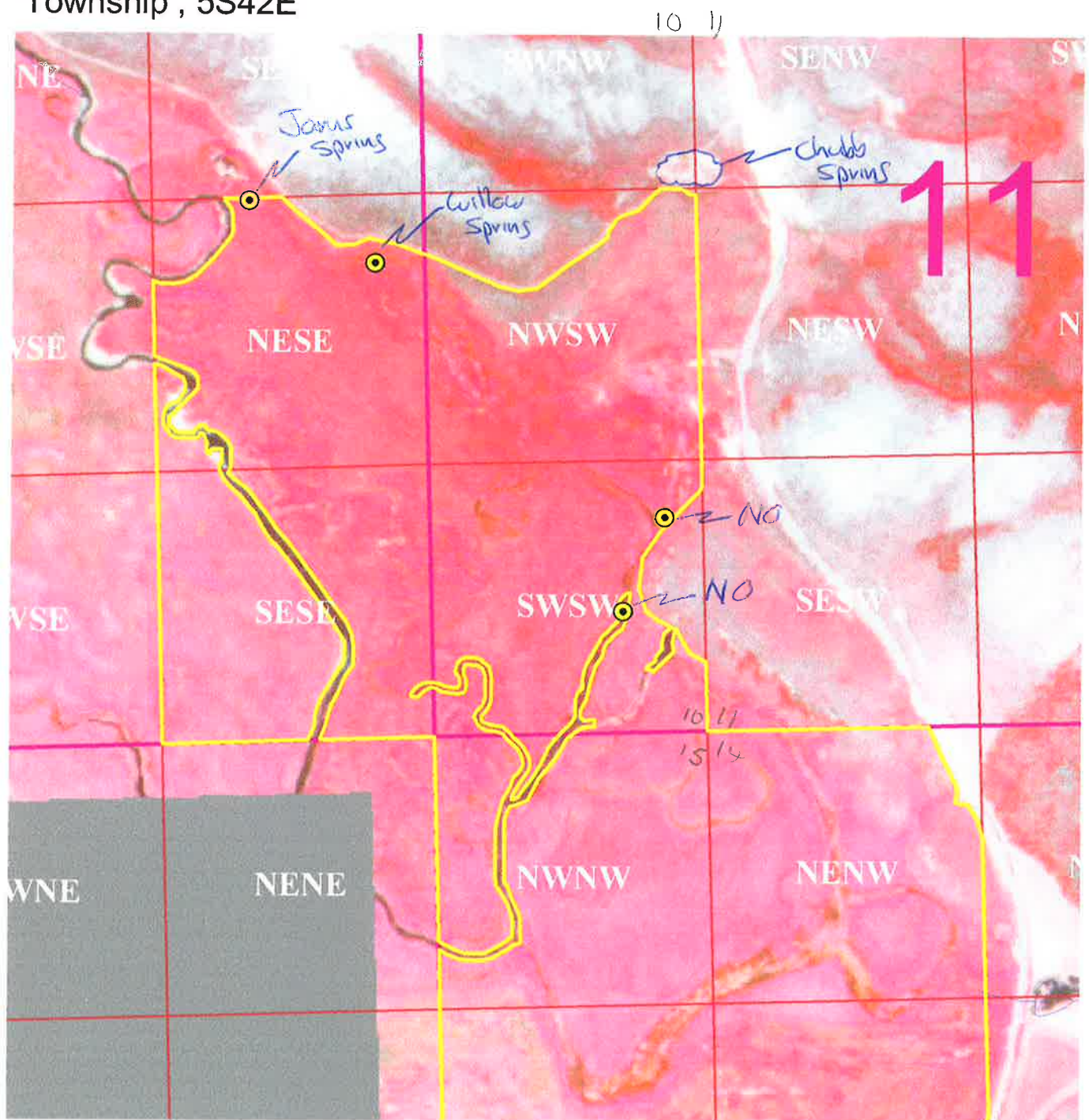


Places of use modified
by Applicant! xuf 6-2-2004

SPATIAL
DYNAMICS

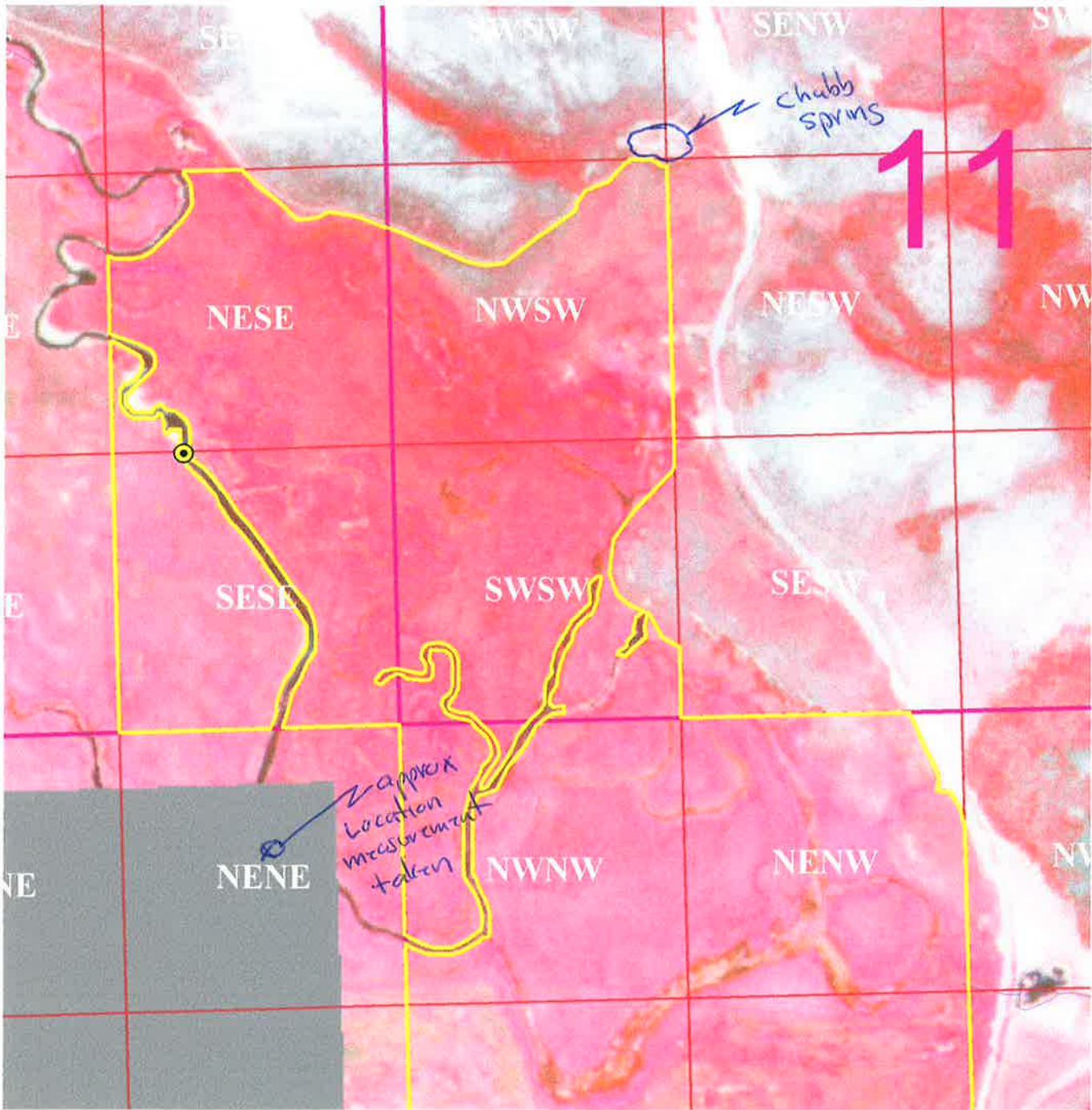
Water Right Claim Number 27-11317
Township , 5S42E

12/14/2000



Water Right Claim Number 27-00076
Township , 5S42E

11/29/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

Legend



October 16, 2007

H:\03\137224\Subcase27_76_27-11317Adjudication.doc

RECEIVED

OCT 22 2007

Racine Olson Nye cooper & Budge
C/o Mr. Randy Budge
Pocatello, ID 83205

Department of Water Resources
Eastern Region



222 N. 32nd Street
Suite 700
P.O. Box 31318
Billings, MT 59107.1318
Phone: 406.656.6399
Fax: 406.656.6398
www.hkminc.com

RE: Snake River Basin Adjudication; Sub-cases No. 27-76 and 27-11317

Dear Mr. Budge:

Thank you for your response and working with the United States to develop a proposal that will resolve our objections in the referenced claims. We have analyzed historic aerial photography of the claimed area, examined the IDWR field examinations report and pictures, conducted aerial surveillances and have made observations from the county road. From these we have determined, by means of GIS, that the maximum extent of active and historic irrigation is 94.3 acres from the three springs and/or Meadow Creek. You have stated that you feel the maximum acreage should be 100 acres, but our GIS mapping identifies a maximum of 94.3 acres. That includes the lands that are naturally wet or sub-irrigated from the springs. We also corrected the location of Chubb Spring and ditch system that is evident on the aerial photography and matches the location visited by the IDWR staff.

I have prepared two draft-Standard Form SF-5's which would memorialize our agreement and form the basis for a decree for Mr. Hubbard's property. The attached SF-5's reflect the reduction in acreage, peak diversion rate and quantity of water. The peak diversion rate from all sources would be 1.89 cfs, or 1 cfs per 50 acres. Our proposed annual volume of diverted water is calculated by multiplying the number of acres times 3.5 acre feet per year. Included in our agreement will be a "general provision" which provides substantially the following:

The current source of this water right is one or more springs which arise on the claimant's property and sink back into the ground before ever reaching a water way. Historically Meadow Creek has supplied water to this property. As such, these water rights, from these sources, may never be conveyed, sold, transferred or used in a location other than the described place of use.

I trust that the attached SF-5 will capture the essence of our agreement, but if not, please feel free to contact me with any questions or comments.

Sincerely,

HKM Engineering Inc.

A handwritten signature in cursive script, appearing to read 'Loring Gurney', written in dark ink.

Loring Gurney

cc: w/enclosure

Peter Monson, U.S. Department of Justice

Ernie Carlson, IDWR

David Barber, Esq.

Jeanette Wolfley, Esq.

Duane Mecham, Esq

Gerald Henrickson, Bureau of Indian Affairs

**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

)
)
)
)
)

Subcase No. 27-76

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 the facts, data, expert opinions and law support the issuance of a partial decree for water right.

The parties agree that the Snake River 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.

CLAMANT / OBJECTOR:

Randy Budge

Date

OBJECTOR:

United States on behalf of
Bureau of Indian Affairs

OBJECTOR:

Shoshone-Bannock Tribes

Peter C. Monson

Date

Managing Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Jeanette Wolfley
Attorney

Date

RESPONDENT:

State of Idaho

David J. Barber
Deputy Attorney General
Office of the Attorney General

Date

IDWR CONCURRENCE:

Ernest Carlsen
Water Resource Program Manager

Date

IDWR CONCURRENCE:

Candice M. McHugh (as to form)
Deputy Attorney General

Date

**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. 27-11317
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS OF A WATER RIGHT

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United States on behalf of
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Managing Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Date

Jeanette Wolfley
Attorney

Date

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Office of the Attorney General

Date

IDWR CONCURRENCE:

Ernest Carlsen
Water Resource Program Manager

Date

IDWR CONCURRENCE:

Candice M. McHugh (as to form)
Deputy Attorney General

Date

SortAll

Printed by HKM Engineering Inc. on 2/8/2006

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

STATUS (11/10/05): Active AS OF 8/31/05: Active
RIGHT NUMBER: 27-76 AS OF 6/14/05: Active
NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241
SOURCE: MEADOW CREEK TRIBUTARY: BLACKFOOT RIVER
QUANTITY: ~~4.440~~ ^{1.89} CFS
PRIORITY DATE: 01/01/1891
POINT OF DIVERSION: T05S R42E S10 NWNESE Within CARIBOU County
~~T05S R42E S10 SWSENE Begin of Stream Flow Within CARIBOU County~~
~~T05S R42E S14 NWSWNE End of Stream Flow Within CARIBOU County~~
T05S R42E S10 SWNESE Within CARIBOU County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04/01 07/01	4.440 CFS
STOCKWATER		01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R42E S10	SENE	0.5 0	T05S R42E S10	NESE	31.2 26.3
T05S R42E S10	SESE	17.5 20.3	T05S R42E S11	NWSW	31.5 10.4
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T05S R42E S14	NENW	33.0 0	T05S R42E S14	NWNW	35.0 9.4
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94.3 221.0 ACRES TOTAL					

STOCKWATER Within CARIBOU County

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T05S R42E S10	SESE	T05S R42E S15	NESE
T05S R42E S11 SWSW		T05S R42E S11 NWSW	
		T05S R42E S14 NWNW	

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THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1977 TO 2004.

This right is supplemental to claim 76-11317. The two rights are not additive.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

December 10, 2007

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222 N. 32nd Street
Suite 700
P.O. Box 31318
Billings, MT 59107.1318
Phone: 406.656.6399
Fax: 406.656.6398
www.hkminc.com

Racine Olson Nye cooper & Budge
C/o Mr. Randy Budge
Pocatello, ID 83205

RE: Snake River Basin Adjudication; Sub-cases No. 27-76 and 27-11317

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I trust that the attached SF-5 will capture the essence of our agreement, but if not, please feel free to contact me with any questions or comments. Please sign one set of SF-5's and return in the stamped addressed envelope to HKM. The second set of documents is for your records.

Sincerely,

HKM Engineering Inc.

A handwritten signature in black ink, appearing to read "Loring Gurney".

Loring Gurney

cc: w/enclosure

Peter Monson, U.S. Department of Justice

Jeanette Wolfley, Esq.

Gerald Henrickson, Bureau of Indian Affairs

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
DAVID E. ALEXANDER
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
STEPHEN J. MUHONEN
BRENT L. WHITING
JUSTIN R. ELLIS
JOSHUA D. JOHNSON
JONATHAN S. BYINGTON
DAVE BAGLEY
CAROL TIPPI VOLYN
THOMAS J. BUDGE
CANDICE M. MCHUGH

BOISE OFFICE
101 SOUTH CAPITOL
BOULEVARD, SUITE 208
BOISE, IDAHO 83702
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FACSIMILE: (208) 433-0187

IDAHO FALLS OFFICE
477 SHOUP AVENUE
SUITE 203A
IDAHO FALLS, ID 83402
TELEPHONE: (208) 528-6101
FACSIMILE: (208) 528-6109

COEUR D'ALENE OFFICE
250 NORTHWEST
BOULEVARD, SUITE 106A
COEUR D'ALENE, ID 83814
TELEPHONE: (208) 765-6868

ALL OFFICES TOLL FREE
(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

January 18, 2008

Loring Gurney
HKM Engineering
3012 Alexander Rd.
Billings, MT 59105

Re: *Stipulated Elements of a Water Right
Claims 27-76 and 27-11317*

Dear Loring:

Enclosed please find the executed Standard Form 5 you required for the above-referenced claim. Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,



LORNA ZUNDEL
Assistant to Scott J. Smith

Enclosures

cc: Alma Hubbard

In Re SRBA	)	Subcase No. 27-76
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS OF A WATER RIGHT

Page 1

RESPONDENT:

State of Idaho

David J. Barber
Deputy Attorney General
Office of the Attorney General

Date

IDWR CONCURRENCE:

Ernest Carlsen
Water Resource Program Manager

Date

IDWR CONCURRENCE:

Candice M. McHugh (as to form)
Deputy Attorney General

Date

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

STATUS (11/10/05): Active AS OF 8/31/05: Active
RIGHT NUMBER: 27-76 AS OF 6/14/05: Active
NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241
SOURCE: MEADOW CREEK TRIBUTARY: BLACKFOOT RIVER
QUANTITY: ^{1.29}~~4.440~~ CFS
PRIORITY DATE: 01/01/1891
POINT OF DIVERSION: T05S R42E S10 NWNESE Within CARIBOU County
~~T05S R42E S10 SWSNE Begin of Stream Flow Within CARIBOU County~~
~~T05S R42E S14 NWSNE End of Stream Flow Within CARIBOU County~~
T05S R42E S10 SWSNE Within CARIBOU County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04/01 07/01	4.420 CFS
STOCKWATER		01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R42E S10	SENE	0.5 0	T05S R42E S10	NESE	31.2 26.3
T05S R42E S10	SESE	17.5 20.3	T05S R42E S11	NWSW	31.5 10.4
T05S R42E S11	SWSW	17.4 27.9	T05S R42E S11	SWSW	38.8 0
T05S R42E S14	NWNE	2.0 0	T05S R42E S14	SWNE	0.3
T05S R42E S14	NENW	33.0 0	T05S R42E S14	NWNW	36.0 9.4
T05S R42E S14	SENW	1.0 0	T05S R42E S14	SWNW	2.5
T05S R42E S15	SWSW	10.6 0			

^{94.3} ~~221.0~~ ACRES TOTAL

STOCKWATER Within CARIBOU County

T05S R42E S10	SENE	T05S R42E S10	NESE
T05S R42E S10	SESE	T05S R42E S15	NESE
T05S R42E S11	SWSW	T05S R42E S11	NWSW
		T05S R42E S14	NWNW

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 REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1977 TO 2004.

this right is no longer needed to claim 26.13% the two rights are not adjacent

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

**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. 27-11317
	)	
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 the facts, data, expert opinions and law support the issuance of a partial decree for water right.

The parties agree that the Snake River 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.

CLAMANT / OBJECTOR:

Alma A. Hubbard

Alma A. Hubbard

1-18-08
Date

OBJECTOR:

United States on behalf of
Bureau of Indian Affairs

OBJECTOR:

Shoshone-Bannock Tribes

Peter C. Monson
Managing Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Date

Jeanette Wolfley
Attorney

Date

RESPONDENT:
State of Idaho

David J. Barber
Deputy Attorney General
Office of the Attorney General

Date

IDWR CONCURRENCE:

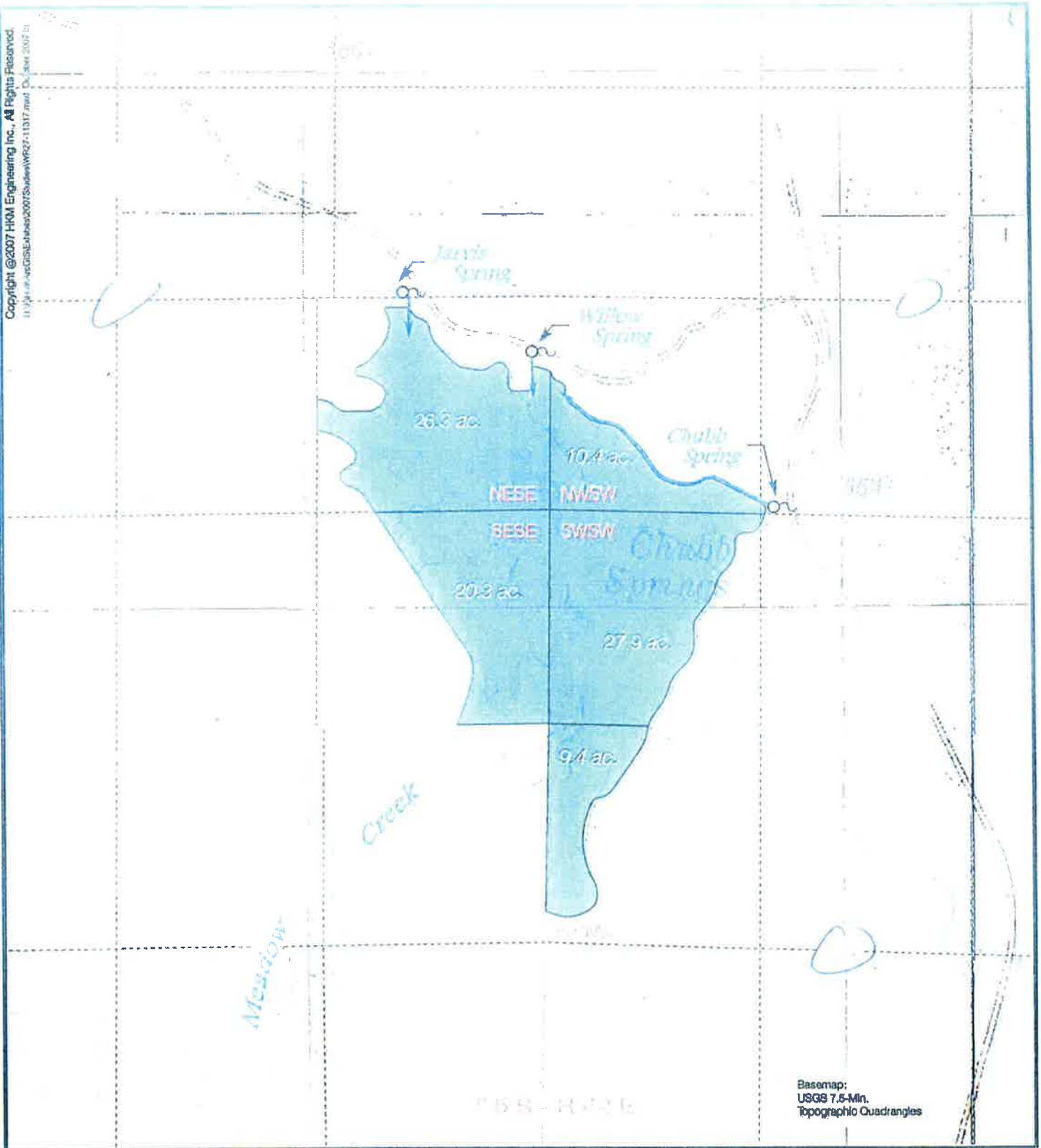
Ernest Carlsen
Water Resource Program Manager

Date

IDWR CONCURRENCE:

Candice M. McHugh (as to form)
Deputy Attorney General

Date



Legend

- Place of Use W.R. Claim #27-11317
- Irrigation Ditch
- Spring Diversion Points
- PLS Qtr-Qtrs



0 400 800 1,600 2,400 Feet

State of Idaho - IDWR
 Water Right Claim #27-11317



02/25/2009

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

RIGHT NUMBER: 27-12171

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: MEADOW CREEK

TRIBUTARY: BLACKFOOT RESERVOIR

QUANTITY: 0.020 CFS
5.10 AFY

The rights listed below are limited to a total combined annual diversion volume of 5.1 AF for stockwater. Combined Right Nos.: 27-11317, 27-11318, and 27-12171.

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

PRIORITY DATE: 01/01/1891

POINT OF
DIVERSION:

T05S R42E S10 NWNESE Begin of Stream Flow Within CARIBOU County
T05S R42E S15 NWSENE End of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 12/01	0.020 CFS 5.10 AFY

PLACE OF USE: STOCKWATER in CARIBOU County

T05S R42E S10	NESE	T05S R42E S10	SESE
T05S R42E S15	NENE	T05S R42E S15	SENE

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 - Beneficial Use

Stockwater use is for 350 cow/calf pairs and 14 bulls.

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

RIGHT NUMBER: 27-76

NAME AND ADDRESS:

ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE:

Source:
MEADOW CREEK

Tributary:
BLACKFOOT RESERVOIR

QUANTITY:

2.340 CFS

~~4.420 CFS~~

PRIORITY DATE:

01/01/1891

POINT OF DIVERSION:

T05S R42E S10 NWNESE
Within CARIBOU County

T05S R42E S10 SWNESE
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

IRRIGATION

Period of use:

04/15 07/01

Quantity:

2.340 CFS
~~4.420 CFS~~

PLACE OF USE:

IRRIGATION within CARIBOU County

T05S R42E S10 NESE 31.0
T05S R42E S10 SESE 18.0
T05S R42E S11 NWSW 16.0
T05S R42E S11 SWSW 28.0

~~T05S R42E S11 NWSW 32.0~~
~~T05S R42E S11 SWSW 39.0~~
~~T05S R42E S11 SESE 16.0~~
~~T05S R42E S14 NWNE 2.0~~
~~T05S R42E S14 SWNE 0.3~~
~~T05S R42E S14 NENW 33.0~~
~~T05S R42E S14 NWNW 35.0~~
~~T05S R42E S14 SWNW 2.5~~
~~T05S R42E S14 SENW 1.0~~
~~T05S R42E S15 NENE 11.0~~

T05S R42E S14 NWNW 8.8

T05S R42E S15 NENE 15.0

116.8 ACRES TOTAL

~~220.8 ACRES TOTAL~~

Right Nos. 27-76 and 27-11317 are limited to the irrigation of a combined total of 116.8 acres in a single irrigation season.

~~Right Nos. 27-76 and 27-11317 are limited to the irrigation of a combined total of 220.8 acres in a single irrigation season.~~

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 remainder of this right was forfeited for non-use from 1978 to 1989.

~~The remainder of this right was forfeited for non-use from 1977 to 2004.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

02/25/2009

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

RIGHT NUMBER: 27-76

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: MEADOW CREEK

TRIBUTARY: BLACKFOOT RESERVOIR

QUANTITY: 4.420 CFS 2.34

PRIORITY DATE: 01/01/1891

POINT OF
DIVERSION:

T05S R42E S10 NWNESE Within CARIBOU County
T05S R42E S10 SWNESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 07/01	4.420 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T05S R42E S10 NESE	31.00	T05S R42E S10 SESE 18.00
	T05S R42E S11 NWSW	32.00	T05S R42E S11 SWSW 39.00
	T05S R42E S11 SESW	16.00	T05S R42E S14 NWNE 2.00
	T05S R42E S14 SWNE	0.30	T05S R42E S14 NENW 33.00
	T05S R42E S14 NWNW	35.00	T05S R42E S14 SWNW 2.50
	T05S R42E S14 SENW	1.00	T05S R42E S15 NENE 11.00

220.8 ACRES TOTAL

Right Nos. 27-76 and 27-11317 are limited to the irrigation of a combined total of 220.8 acres 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.

The remainder of this right was forfeited for non-use from 1977 to 2004.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



222 N. 32nd Street
Suite 700
P.O. Box 31318
Billings, MT 59107.1318
Phone: 406.656.6399
Fax: 406.656.6398
www.hkminc.com

RECEIVED

FEB 13 2008

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Ms. Cindy E. Bird
Adjudication Bureau
15 West Center Street
Soda Springs, ID 83276

RE: Snake River Adjudication, Basin 27, United States Objection to thirteen claims as listed herein

Dear Ms. Bird:

The United States has directed HKM Engineering to attempt to reach a settlement on thirteen claims in which the U.S. had filed objections. That process is on-going, however HKM has found difficulty in reaching an agreement on some of the thirteen claims. That difficulty is basically due to the differences between HKM's findings and IDWR's Recommendations. Of those thirteen claims HKM has developed a file for eleven of the claims for your review. Not included in these eleven files are claims 27-102 and 27-12108. Those claims are in the process of settlement or have as yet not undergone negotiation investigations.

We have developed a summary datasheet for each of the eleven claims that identifies key issues and information explaining our position on each claim. The information was derived from IDWR documents, notes and comments, HKM's stereo aerial photography analysis results and HKM's field investigations. Included are HKM's recommended acreage and diversion rates associated with our analysis and findings.

HKM is respectfully requesting you to review our findings on the eleven water right recommendations to determine if there is anything you can do to help resolve our differences. If not, future hearings and additional litigation costs will unfortunately be the result. The main issue surrounding these claims is their idle condition and our unwillingness to accept the IDWR recommended irrigated acreages for claims that we believe have been idle since 1980 and longer.

Each of the eleven claims and its associated recommendation is unique, but all of them have a long history of inactivity, or no historic activity, for all or part of the claimed place of use. If our findings indicated current or recent irrigation had occurred as of 1987, the U.S. did not object to those acres.

In one case, a claimant wants to transfer a water right that has not been used in over 30 years as of 2003 (per IDWR documents), to a new proposed wetland project. The USDA indicates the wetland project will be entirely natural with no man induced diversion of water. The claimant also stated he has no interest in irrigation. We have been unable to negotiate with the claimant due to the acreage recommended by IDWR.

We have found some claims to be inaccurately mapped and the claimant was agreeable to changing the place of use to match the correct place of use. That occurred with claim 27-102 and we prepared a map and submitted it to IDWR. We anticipate that claim to be settled due to insignificant differences.

There are also claimed lands being sub-irrigated without a man-made distribution system or located above the claimed ditch and can't be irrigated. We believe these areas should be deleted from the IDWR recommendations.

For Settlement Purposes Only

SCANNED

FEB 14 2008

Idaho Department of Water Resources
Ms. Cindy E. Bird
March 28, 2007
Page 2

These types of problems need to be addressed so settlement talks can move forward with the claimants and their attorneys. We, at HKM, do believe our goals are the same as yours and we appreciate your time in helping to resolve these issues. If a settlement can be attained we anticipate a significant cost benefit to all parties in this adjudication.

There are six claims where HKM cannot identify current or historic (post 1980) irrigation and recommends that the claims be awarded no irrigated acres. The claimants are not willing to withdraw their claim if the IDWR maintains their current acreage recommendation. These claim numbers are: 27-49, 27-76, 27-2069, 27-2075, 27-2078, and 27-12045.

Our analysis of the remaining five claims indicate partial irrigation on the claimed lands and we are negotiating with some of the claimants at this time. These claim numbers are: 27-54, 27-2108, 27-2026, 27-2066 and 27-11317. The place of diversion and place of use will need to be modified on these to reflect the correct locations. We have also included some maps from our files on these claims for your review.

HKM would like to schedule a conference call and work session with IDWR personnel to discuss the above claims. We believe that would help us both understand our differences and hopefully resolve them. It may be necessary to schedule a field trip with IDWR and the claimants if possible this field season. We believe the field trip would help to resolve a number of these discrepancies. The window of opportunity for settlement requires that we address these issues at your earliest convenience. The United States has requested that we have responses completed by April 20, 2007.

Please call me with any questions you may have after you have had an opportunity to review our enclosed analysis, findings, and exhibits.

Respectfully submitted,

HKM ENGINEERING INC.


Loring Gurney

Enclosures

cc: Peter Monson
U.S. Attorney

For Settlement Purposes Only

SCANNED
FEB 14 2008

HKM'S FINDINGS AND RECOMMENDATIONS FOR SELECTED CLAIMS

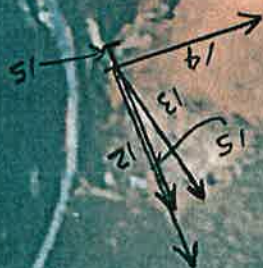
Claim #	IDWR Documents & Comments	HKM Analysis	IDWR Recommended Acres/cfs	HKM Recommended Acres/cfs
27-76	- On June 23, 2004 the claimant "agreed that he did not irrigate the land below the "creek" bed that runs east of Meadow Creek towards the road." - IDWR conducted a field investigation 2004 and took pictures of the abandoned service facilities. - The claimant agreed to a USDA map showing irrigation was 146.7 acres.	- HKM needs clarification on the location of the land below the creek bed. - Aerial photography analysis shows the irrigation system was non-functional and abandoned for the years 1980, 1987, and 1992. The 1999 overflight and IDWR photographs also show no functional diversion facilities from Meadow Creek. - Meadow Creek cannot supply water to this claim due to the inoperable diversion facilities. The only water from Meadow Creek would be natural flood and subirrigation. - The 3 springs are the only source of supply with a rudimentary distribution system.	221.0/4.58	0.0

HKM'S FINDINGS AND RECOMMENDATIONS FOR SELECTED CLAIMS

Claim #	IDWR Document & Comments	HKM Analysis	IDWR Recommended Acres/cfs	HKM Recommended Acres/cfs
27-11317	• 1936 Affidavit of water right. Irrigated from 7 small springs using 80" of water for irrigation. • IDWR "checked with our county's assessor and was advised that on 27-11317 no ground is being claimed as irrigated" (October 7, 2003). • On June 23, 2004 the claimant agreed that he only irrigated 146.7 acres according to the ASCS map. He further agreed that he did not irrigate land below the creek bed that runs east of Meadow Creek towards the road. • 4/27/2004 IDWR Notes that "domestic house was burned down 5 years ago." Proposed priority date November 16, 1946. • IDWR response to January 23, 2004 correspondence: "The evidence of priority in file 27-11317 does not support the 1890 priority date. The evidence supports a 1933 priority date instead." • The POU was verified by IDWR from decree, field exam and 1987/88 NAPP photography (2004).	• The claimed POU is the same as 27-76 except the source is springs and not Meadow Creek. • The beneficial use is due to natural subirrigation for the majority of the lands. • ON August 2, 1980 the bench between Jarvis Spring and Meadow Creek was dry. Chubb Spring reservoir was dry. • HKM analyzed and located photographs taken by the claimant. • The only active man-made system irrigates 8.3 acres. Another 59.9 acres, as mapped by the USDA, is recently active. • The location of Chubb Spring is not correct as mapped.	146.7/2.93	68.2/1.36

COASTAL
FEB 1 1980

Notice that
the berm still
existed in 1980.
The berm extended
beyond the
"ruined"
dam



8-21-1980 NMAP 187-157
IDWR pictures 1-15
taken on (assumed) 6/2/2004
27-76 and 27-11317 "Draft"
Map generated by HMM 3/07

Sheet 1

Sheet 2

7-24-1987 NAPP 306-210

27-76, 27-11317



"Draft"

Map generated by HKM 3/07

notice where
the berm has
eroded out by
Meadow Creek

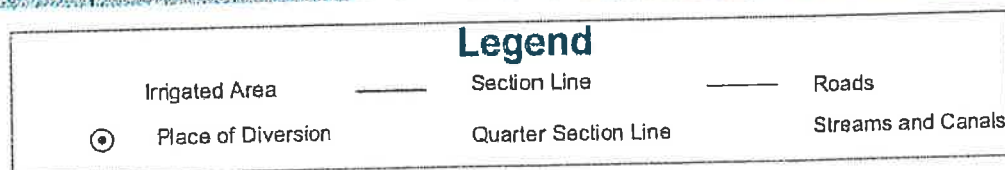
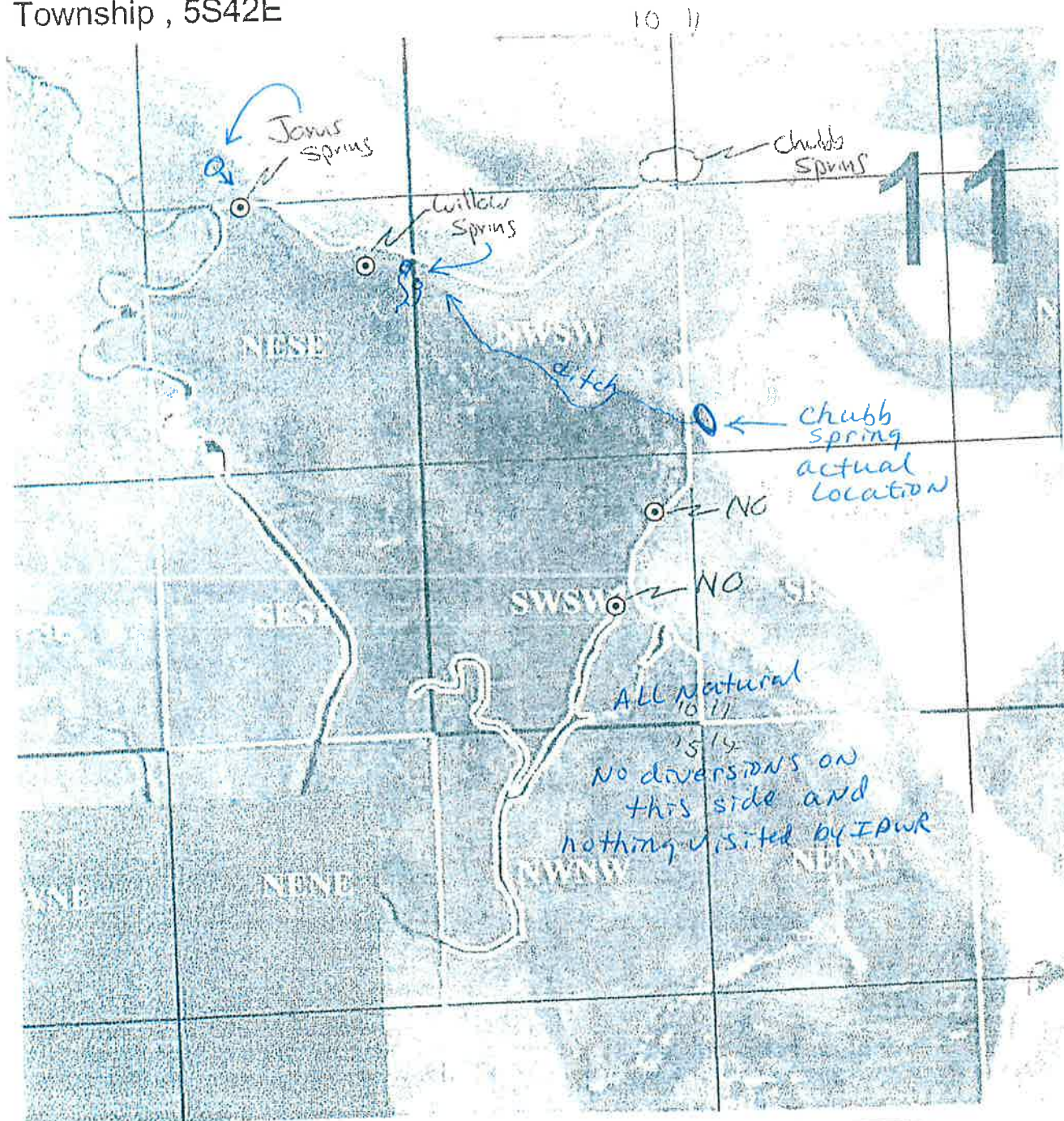
IDWR picture
#7

SCANNED
FEB 11 2008

map marked by HKM in blue "draft"

12/14/2000

Water Right Claim Number 27-11317
Township, 5S42E



500 0 500 1000 Feet



SCANNED
SPATIAL
DYNAMICS 003

NAPP 4937-144

8-27-1992

27-76, 27-11317

map generated by HKM "draft"

← Jarvis
Spring

← Willow
Spring

ditch
↓

← Chubb
Spring

← dry
hillside
included
in claim

→ In 1992 and
In 1987 there
was no way to
get water on the
west side of the old
channel of Meadows
Creek
15.2 ac.

→ ALL
Natural on
→ this side, no
diversions and
→ Nothing visited by
IDWR

Map marked up by HLM "draft" 2/07

water 4.93 on footbridge
221000 4.92 on footbridge
slight water rise

I28-03
NOT
Scale

All diversions from
Meadow Creek have
been abandoned for
20 years or more.

chubb
springs
1166
dry hillside
included in
claim

JUN 28 2004
HLM

15.502
Not
in
claim
out

Not in
claim
out
1000

BLM
0.502
out

146.7
out

19.1
out

59.9

16.2

ALL
NATURAL
NO DIVERSIONS
ON THIS SIDE

107.8
13
15
18.0
1.5





NAPP 306-210

7-24-1987

map generated by HKM "draft"

Chubb
Spring

dry hillside
included
in
claim

Chubb Spring was dry
on 7-24-1987

July 27, 1999

27-76, 27-11317

photo taken by Saunders, HKM

Annotated by HKM 2/07

(S)

Jarvis
Spring

Willow
Spring

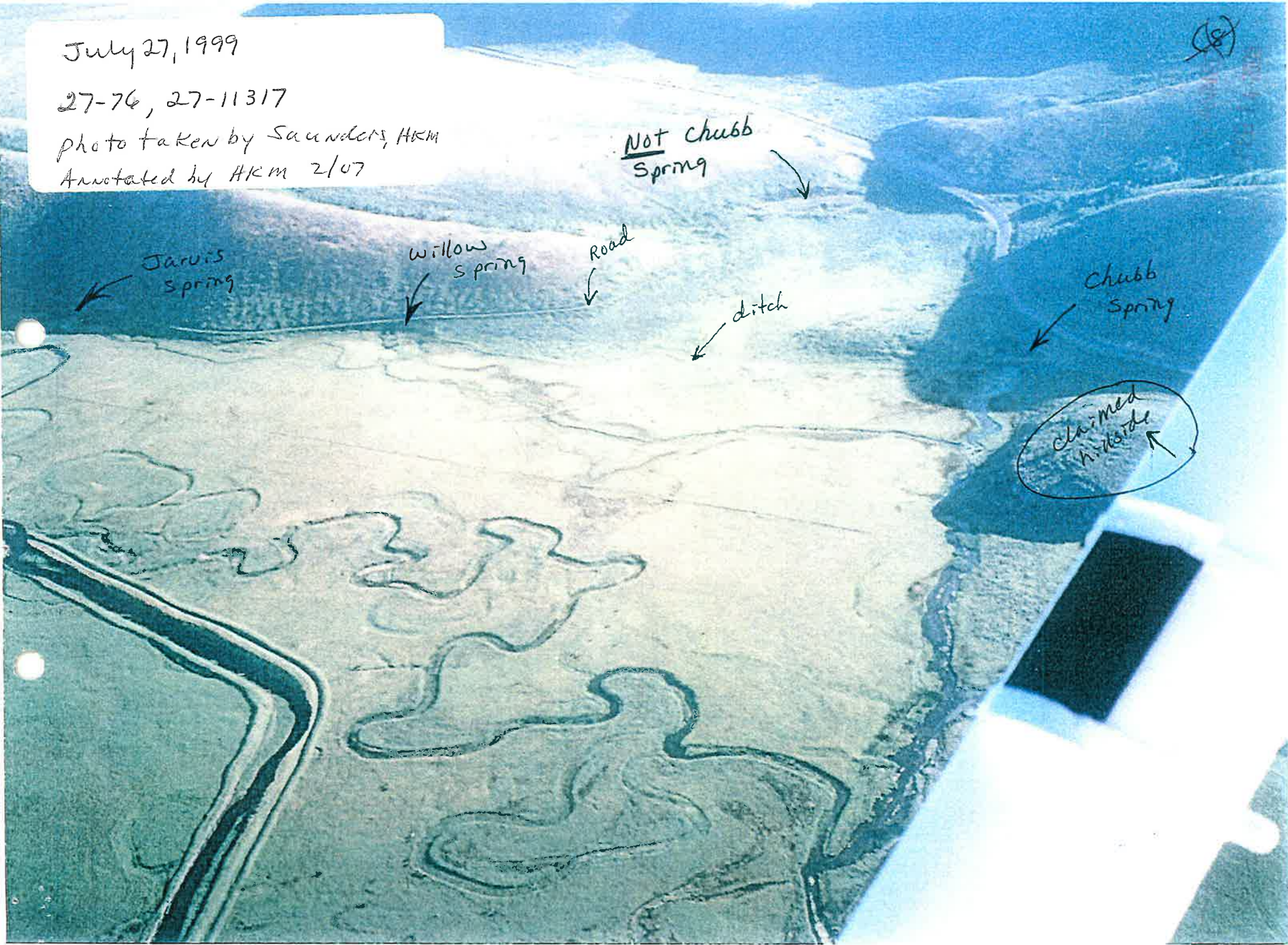
Road

ditch

Not Chubb
Spring

Chubb
Spring

claimed
nickel



C05

LM 2/23
 need to verify 500 + 800
 for stock
 amend claim? NO

Jeanette Wolfley, ISB #3948
 Attorney At Law
 202 North Arthur
 Pocatello, ID 83204
 (208) 232-1922
 Facsimile: (208) 232-7472
 wolfleyj@ida.net

Attorney for Shoshone-Bannock Tribes

4/15 - 12/1
 231 days @ 7168 gal/day

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

5.1 AF

In Re SRBA

Water Right Claim: 27-00076

Case No. 39576

SETTLEMENT AGREEMENT

The Shoshone-Bannock Tribes ("Tribes") and Alma A. Hubbard, do hereby agree to settle claims for Stockwater use for the above-entitled water right as follows:

1. The Tribes filed objections to Alma. A Hubbard's water right in the above-entitled subcase (the "Water Right").
2. A part of the Tribes objection was based on the lack of an annual volumetric limitation of the Claimant's Stockwater use on water right no. 27-00076.
3. The volumetric limit for Stockwater use for this water right has been agreed to as follows:

<u>Water Right No.</u>	<u>Purpose of Use</u>	<u>Period of Use</u>	<u>Quantity</u>
27-00076	Stockwater	01/01-12/31	8.03 AFY

Remarks: The combination of rights 27-0076 and 27-11317 shall not exceed a total combined annual diversion volume of 8.03 AFY for stockwater use.

Note: Calculation is based on 350 cow/calf pairs and 14 bulls for 365 days.

The parties agree that this element will be included on the water right.

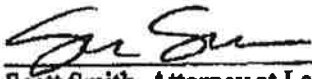
4. The signatories agree that this Agreement is binding upon them and precludes them from taking a contrary position with respect to above-entitled subcase in this or any other proceeding.

5. The parties acknowledge that there still may remain outstanding objections by the Shoshone-Bannock Tribes and the objections by the United States Bureau of Indian Affairs to the lack of volume and any responses by the State of Idaho.

6. This Agreement does not create a precedent for settlement of other disputes or outstanding objections.

7. The Agreement has been reached through good faith negotiations for the purpose of resolving legal disputes.

Dated this _____ day of _____, 2008.


Scott Smith, Attorney at Law
Representing Alma A. Hubbard

3/26/2008


Jeanette Wolfley, Attorney at Law
For the Shoshone-Bannock Tribes

3/31/08


Peter Monson
For U.S. Department of Justice

4/14/08


David J. Barber
Deputy Attorney General
For the State of Idaho

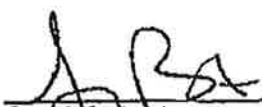
4/17/08

IDWR Concurrence:


Cindy Bird
Senior Water Resource Agent

Date

4/17/08


Garrick L. Baxter
Deputy Attorney General, IDWR

4/16/08

Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of April, 2008, I caused to be mailed postage prepaid, at true and correct copy of the **SETTLEMENT AGREEMENT** to the following:

Original To:

Clerk of the District Court *Via fax*
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

Copies to:

Scott Smith
PO Box 1391
Pocatello, ID 83204-1391

Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



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

RIGHT NUMBER: 27-76
NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

POD on BLM:

-Claimant is not authorized to graze public land.

POUs on BLM:

-Claimant is not authorized to graze or farm public land.

SOURCE: MEADOW CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 4.440 CFS

PRIORITY DATE: 01/01/1891

*-perhaps the inclusion of public
land is a typographical error.*

POINT OF
DIVERSION:

BLM: T05S R42E S10 SWSNE Begin of Stream Flow Within CARIBOU County
T05S R42E S10 NWNESE Within CARIBOU County
T05S R42E S10 SWNESE Within CARIBOU County
T05S R42E S14 NWSWNE End of Stream Flow Within CARIBOU County

PVT - POD not on
Meadow Creek -
Typo?

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 07/01	4.420 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within CARIBOU County

BLM	T05S R42E S10	SENE	0.5	T05S R42E S10	NESE	31.2
	T05S R42E S10	SESE	17.5	T05S R42E S11	NWSW	31.5
	T05S R42E S11	SWSW	38.6	T05S R42E S11	SWSW	17.1
	T05S R42E S14	NWNE	2.0	T05S R42E S14	SWNE	0.3
	T05S R42E S14	NENW	33.0	T05S R42E S14	NWNW	35.0
	T05S R42E S14	SWNW	2.5	T05S R42E S14	SENE	1.0

*Duplicate - typo -
should be SESW?*

BLM: T05S R42E S15 SWSW 10.6 Typo - should be NENE?

STOCKWATER Within CARIBOU County

BLM	T05S R42E S10	SENE		T05S R42E S10	NESE	
	T05S R42E S10	SESE		BLM: T05S R42E S15	NESE	

Typo - should be NENE?

221 ACRES TOTAL

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

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM
1977 TO 2004.

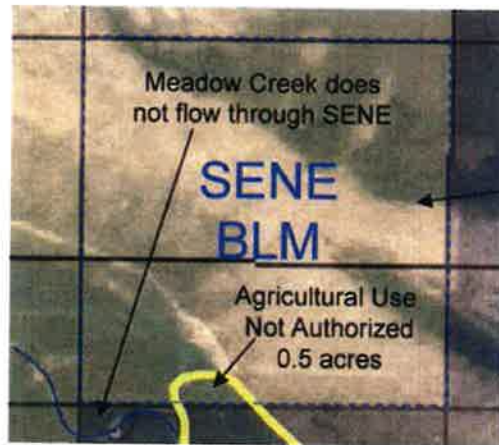
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

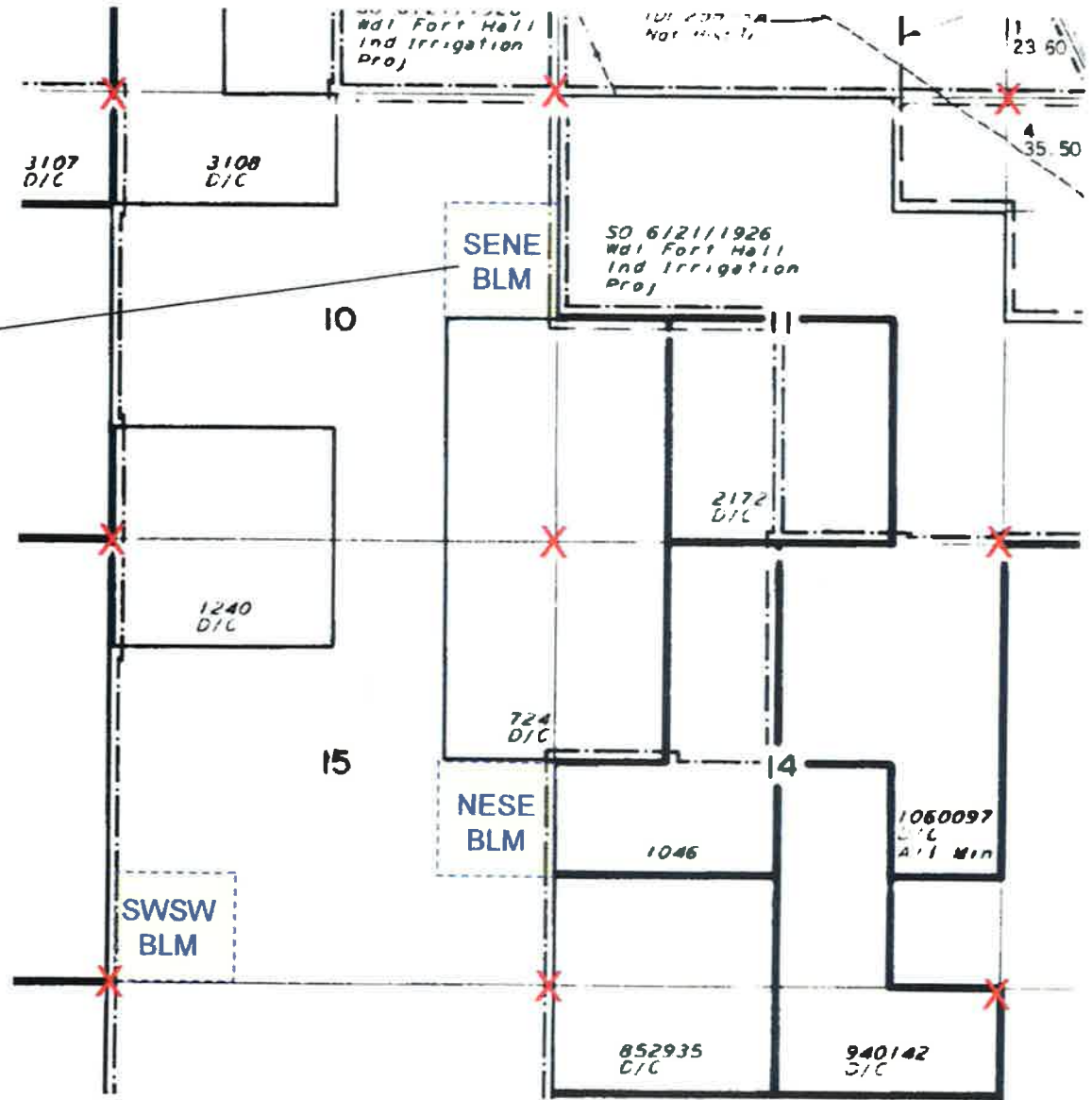
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

- Move instream POD (beginning) to private land.
- Remove/correct POUs on public land.

27-00076; T05S R42E



Adjust shape to exclude public land and remove SENE from water recommendation





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 1, 2004

Alma Hubbard
P.O. Box 341
Grace, ID 83241

Ref: Snake River Basin Adjudication (SRBA)
Notice of Claims 27-76 and 27-11317

Subject: Amending the Notice of Claims

RESPONSE DATE: JULY 16, 2004

Dear Alma,

I had you on my calendar for today at 9am for an appointment to amend the above-mentioned claims. When I didn't see you I amended the claims per our previous discussions and the field examination done by Harold Jones. I've enclosed amended claims for 27-76 and 27-11317 for you to review. Please review the claims closely and if you agree with the amended claims please sign them in front of a notary and return them to my office by the above response date.

If you have any questions on the amended claims please feel free to contact me in my office to discuss it.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Amended Notice of Claim to water rights 27-76 & 27-11317.

PROTECTED

SCANNED
JAN 23 2006

23 June 2004

Memo to File

I met with Alma Hubbard this morning. He had a copy of a drawing from the ASCS office. We reviewed that drawing compared to our preliminary drawing. He finally agreed that he only irrigated 146.7 acres according to the ASCS map. I indicated that our drawing, based on what Skip found, included 221 acres.

He further agreed that he did not irrigate the land below the "creek" bed that runs east of Meadow Creek to towards the road. He said the pond locations he mentioned yesterday are only present when the upper portion is irrigated. When he is not irrigating, the ponds dry up. When the ponds are present animals do drink out of them.

He further stated that he hasn't had a house and/or trailer house on the property for 5 or 6 years.

I made an appointment for him to come in on Thursday, July 1 to sign an amended claim.

Barbara

Notes

4/29/04 We have no other basin 27 claims identified based on decree 76.

decree POU was for both 27-76 & 77. POU was decreed in T3S, R42E, Sections 10, 11, 14 & 15. No claims are filled in this POU. CB.

- 8 cfs at an inch per acre will irrigate 400 acres.

Claim 27-11317 was filed for an additional 1.6 cfs (80 acres). Not covered under this right if irrigating at an inch per acre.

4/27/04 decree 504: 4/1 to 7/1

6-23-04 Claimant came in & met w/ Barbara. BOD

7-1-04 Letter to Claimant re amend claim. BOD

TO: Barbara

FROM: Cindy

SUBJECT: 27-76 & 11317

DATE: 6/17/04

Please create a new POU boundary from Skip's map and overlay the GCDB. I need to know the number of acres within each QQ because both claims need to be amended to include the new POU.

Also give me the locations of POU's.

Please return to me so I can amend the claim.

Permissible POU

() For your information

☒ Response required

CB
signature

Notes

10/6/03 Check the database for other claims to the water under the decreed source POU.

If no other claims are found then we need to send a letter to claimant requesting verification and proof of when the POU was changed.

Unify ownership/address. PO Box 341, Lance,
Id 83241

10-7-03 Owner's Ofc says it has been meadowed & grazing since 1994. BT

12/23/03 Watermaster reports from 1975 - 1988 shows delivery of meadow creek to Hubbard's. The claimed POU is different except some of the land in section 14.

Claimant needs a letter to address the change in POU, POU address updates

12-23-03 Letter sent to claimant, 1-23-04 response date PB

2/9/04 No response to request letter.

Notes

Wednesday

Bone Rd - 6 mile N. of Henry Store
Cavalls - pond & quarry

3 miles South off Bone Rd
to cavalls. At corner
state stocked gravel

* ~~to~~ SS 42 E Sect. 14
Got Map

ban - Appt.

Take Boots
Hip & warm
clothes

Notes

Claims A27-76 + A27-11317

1/ I met with claimant Alma Hubbard on-site on June 2, 2004. The ground involved is a permissible place of use irrigated by Meadow Creek and several Springs. This is all flood irrigation and the entire place of use was crossed by large + small conveyance ditches. The map of the place of use was modified by the applicant + is less acres than originally claimed. Map is attached.

2/ Photo #1 shows an 18" culvert diversion off Meadow Creek. GPS coordinates are

2702694
1313667

USR, GPS tag # A0012286 File # 27-76

Photo #2 shows Meadow Creek side of 18" culvert.

The water is too low to run through the culvert.

3/ Photos #3+4 show Jarvis Springs which joins diversion from Meadow Creek in a common ditch. GPS data is;

2702707

1313694

USR

GPS File - JARVIS

No GPS Tag

4/ Photos #5+6 show a second 18" culvert diversion from Meadow Creek and turned diversion dam

GPS data; 2702690
1313303

USR GPS Tag # A0012287

GPS File # - 27-76A

Notes

2/

- 5/ Photo #7 shows an unregulated ditch approximately 5' high X 3' wide on Meadow Creek at site of ruined diversion dam. This site also would take Meadow Creek water for irrigation when flows were high enough.
- 6/ Photo #8 shows Willow Spring which joins Jarvis Spring flow + Meadow Creek (First Diversion) in a common ditch. GPS data is: 2702952 1313479 WSR
GPS File # - Willow; no GPS tag
- 7/ Photo #9 shows combined flows of Jarvis + Willow Springs. No Meadow Creek water in ditch since creek was too low to contribute.
- 8/ Photo #10 shows above conveyance ditch, approx 44" wide X 12" deep. Flows were too slow to move Pygmy meter.
- 9/ Photo #11 shows two 18" culverts on internal ditch system. Canvases + wood dams used to block culverts + divert flow west toward applicant standing in Pix then South to irrigative fields.

10/ Photos 12, 13, 14 show Chubb Springs which ponds up & flows out an 18" culvert on the west end and a 36" culvert on the east end. This outflow shown in pix 14 is 35' to 40' wide. It combines down stream with the Jovis Springs Willow Springs, Meadow Creek ditch which comes in from the west.

11/ Photo 15 is the 36" culvert outflow from Chubb Springs. GPS data: 2703433 N 1313303 W. GPS tags # A0013488, GPS Fix # -CHUBB

All this water can eventually inject into Meadow Creek if not used. I was able to take a flow measurement at this juncture. Measurement notes are attached & represent Combined Spring flows. Total was 4.93 cfs.

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Alma A. Hubbard	PO Box 341	Grace	ID	83241	

Current Owner

cell phone: 221-5424
hm 425-3366

Current Owner

Representing Attorney: _____ Phone Number: _____

Accompanied By: Alma Hubbard Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 6-2-2004 Time: 10 Am

Directions to Property (if different from above) and/or update owner information:

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: CB

Date: 7/20/04

Priority Date Data Entry FormClaim Number: 27-76,

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

done

Reviewer: APBDate: 4/20/04

Priority DateClaim No. 27-76

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☒ No ☐
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☒ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☒ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14.
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

*decree***Priority Date**

Point of Diversion and Source Data Entry Form

Claim Number: 27-76

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	
55	42E	10		SWNESE	Caribou	Meadow crk	File 27-76
GPS Coordinates: 2702694					1313667	USR	Tag A0012286.
55	42E	10		NWNESE	Caribou	Meadow crk	File 27-76A
GPS Coordinates: 2702690					1313303	USR	Tag A0012287.
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							

Other rights from this POD? NO

Document how the POD and Source were verified and/or Pump and Motor data:

field examTransfers Changing POD noReviewer: CBDate: 7/8/04

Point of Diversion

Claim No. 127-76

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes (☐) No (☒)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes (☐) No (☒)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes (☐) No (☒)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☒) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes (☐) No (☒)

Point of Diversion

Source

Claim No. 27-76

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☐)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☐)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
Yes (☐) No (☐)
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes (☒) No (☐)
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes (☒) No (☐)
6. Is the basis of claim a Posted Notice?
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
Yes (☐) No (☐)
7. Is there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes (☐) No (☐)
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
Yes (☐) No (☐)
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes (☐) No (☐)
10. Does the file contain all of the necessary information to verify the Source?
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
Yes (☐) No (☐)
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes (☐) No (☒)

Source

Purpose of Use Data Entry Form

Claim Number: 27-76.☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Survey

Transfers Changing Purpose of Use noReviewer: CBDate: 4/20/02

Purpose of Use

Claim No. 27-76

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes (☐) No (☒)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: 27-76

Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

direct
field exam
1987/88 Napp photography

Transfers Changing POU noReviewer: CBDate: 7/8/04

Place of Use

Claim No. 27-76

1. Is the basis of claim a Decree or License.
If Yes, go to 2a
If No, go to 2b
Yes ☒ No ☐
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes ☒ No ☐
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes ☐ No ☐
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes ☐ No ☐
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes ☐ No ☐
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes ☐ No ☒
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes ☐ No ☐
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes ☒ No ☒
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes ☒ No ☐
9. Does the change include an enlargement of the POU?
If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12
Yes ☐ No ☐
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes ☐ No ☐
11. Did the claimant file an enlargement claim?
If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
12. Was a transfer filed?
If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes ☒ No ☐
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: 27-76☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

decree

Reviewer: CBDate: 4/20/02

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2 Yes (X) No ()
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6 Yes () No ()
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18 Yes () No ()
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6 Yes (X) No ()
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6 Yes (X) No ()
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12 Yes () No ()
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8 Yes () No ()
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11 Yes () No ()
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10 Yes () No ()
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes () No ()
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes () No ()
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13 Yes () No ()
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15 Yes () No ()
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18 Yes (X) No ()
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18 Yes () No ()
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18 Yes (X) No ()
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18 Yes () No (X)
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete. Yes () No (X)

Period of Use

Quantity

Claim No. 27-74

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
Yes ☐ No ☐
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7
Yes ☒ No ☐
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
If No, go to 7
Yes ☒ No ☐
6. Is the basis of claim a posted notice?
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
Yes ☐ No ☐
7. Is a flow measurement required?
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
Yes ☐ No ☐
8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9
Yes ☐ No ☒
9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11
Yes ☐ No ☒
10. Is irrigation a purpose of use?
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
Yes ☐ No ☐
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
Yes ☐ No ☒
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.
Yes ☐ No ☒

Quantity

Summary

Claim No. 27-76

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes (☒) No (☐)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☒) No (☐)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8

Yes (☐) No (☒)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

*No-Combined
limits*

Summary

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

C05 gen cond

P19 Rem-Gen.

1977 to 2004.

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

Claim No.: 27-76

Reviewer CB

Date 4/20/04

Headgate off Mazon Creek



GPS
Tag

A27-76

A27-76



Meadow Creek

at culvert site

A27-11317



Jarvis Springs

Janus Springs



A 27-11317

A 27-76



water
should be here, but
flows are too low

2nd Meadow Creek diversion

Ruine Division dam on Middle Creek



A27-11317

A27-T6



unregulated
irrigation
ditch on
Meadow Creek

Ditch adjacent to 2nd culvert diversion
on Meadow Creek

A27-11317



Willow Spring

A27-76 + A27-11317



Ditch that carries Spring + Meadow Creek
diversions

A27-76 + A27-11317



Common conveyance ditch

Common Cowsquash Ditch



2, 18" culverts
that redistribute
ditch flows

A27-76 + A27-11017

427-11317

18" Culvert
outflow



GPS tag

26" Culvert
outflow

Chubb Springs

427-11317



Chubb Spring

A27-76 + A27-11317



Common Carrier ditch
joins with outflow
of Chubb Springs

A27-11317



26" Culvert outflow @ Chubb Springs

Date June 2nd 2004, 19- **DISCHARGE MEASUREMENT NOTES**

Date June, 1944 **DISCHARGE MEASUREMENT NOTES**

Combined Spring River at flows

No. _____ of _____ Sheets. Comp. by W. H. Jones Chk. by _____

Claim A27-11317

Notes

Original Notes

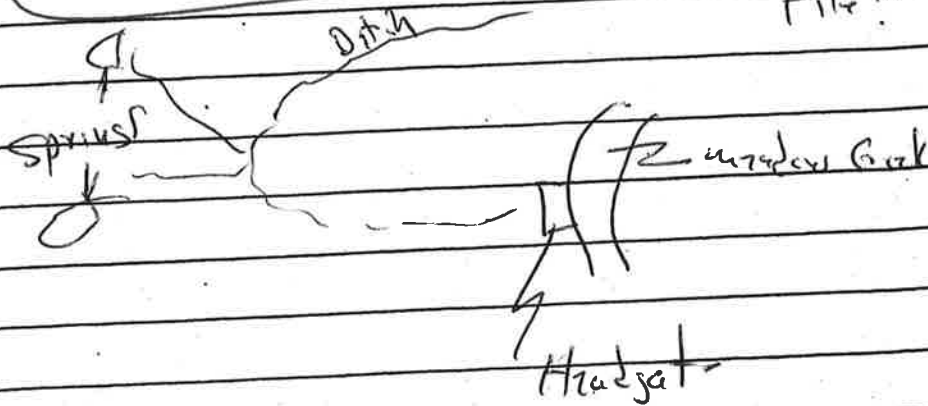
Meadow Creek - GPS 2702694
1313667

GPS Tag A0012286 File 27-76

Photo 1 & 2 - Hazdget & Meadow Creek (Low)
18" Diam Culvert - GPS 2702707
1313694

(Photo 3 & 4 Jarvis Springs

File # - JARVIS



Photos 5 & 6 - 2nd 18" culvert diversion from
Meadow Creek

GPS - 2702690
1313503

File # 27-76A

Tag A0012287

Photo 7 - Second ditch by the POD - unregulated (5' x 3' size)

Photo 8 - Willow ~~Creek~~ Spring GPS 2702952
1313479

Photo 9 - Combined flows of

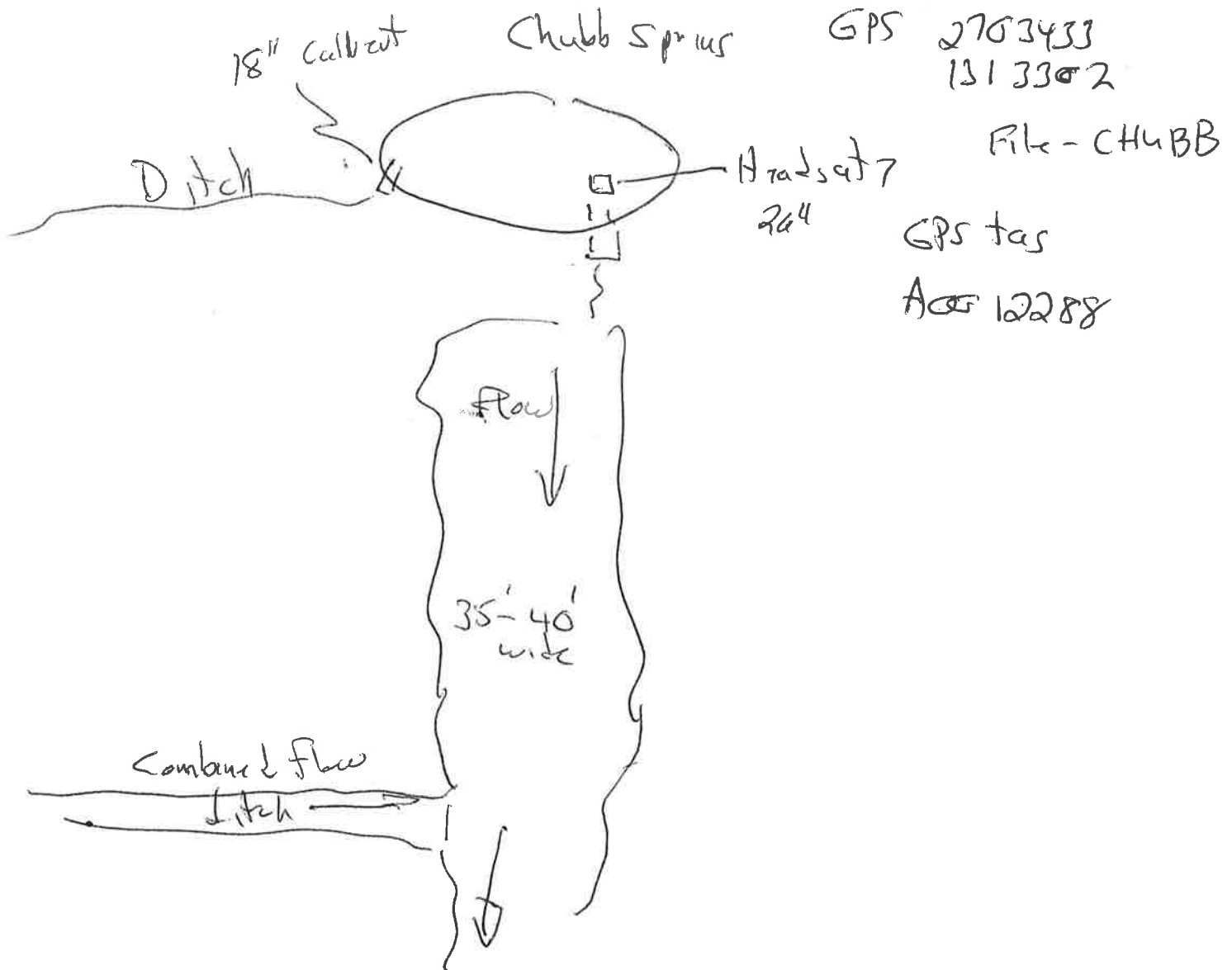
Willow Spring; Jarvis Spring & Meadow Creek (No water)
File # Willow

Conveyance ditch - 44" wide x 12" deep

Photo 10 - Meter - flow too slow to measure it

Photo 11 - 2 - 18" culverts - Canvas & wood dams
can be installed to back
water up toward applicant
& then south

Photo 12, 13, 14



# Claims	Stevens Decree #	C.F.S. Claimed	TTL CFS in Decree	Over claimed	Stevens Inches
3	66	48.52	6.40	(42.12)	320
1	67	44.08	8.00	(36.08)	400
1	68	44.08	11.20	(32.88)	560
1	69	44.08	12.80	(31.28)	640
3	70	52.76	5.68	(47.08)	284
1	73	3.20	3.20	0.00	160
1	76	8.00	8.00	0.00	400
2	85	10.51	11.20	0.69	560
2	87	25.20	12.80	(12.40)	640
1	88	12.80	12.80	0.00	640
1	89	8.00	8.00	0.00	400
1	94	3.56	3.40	(0.16)	170
172	Totals	719.21	400.82	(318.39)	20041.00

2/6/04 This is the only claim that I have identified as 27-76 from my claim files.

- Water master reports from 1975 thru 1988 show delivery of Meadow Ck to Alma (Delos) Hubbard on 27-76.

I 28-03 P
NOT
SCALE

3 9
16 11

water 4.03 Cu feet per sec
4.47
221 ac 4.42 cu feet per sec
float water alt
3.49

Total
146.7

33.4
33.3
280.7
19

26.14

32.9

59.9

19.1
T. 556.1

10.2

30.5

23.9

50

8.3

4.4

107.8

13

18.6

15

12

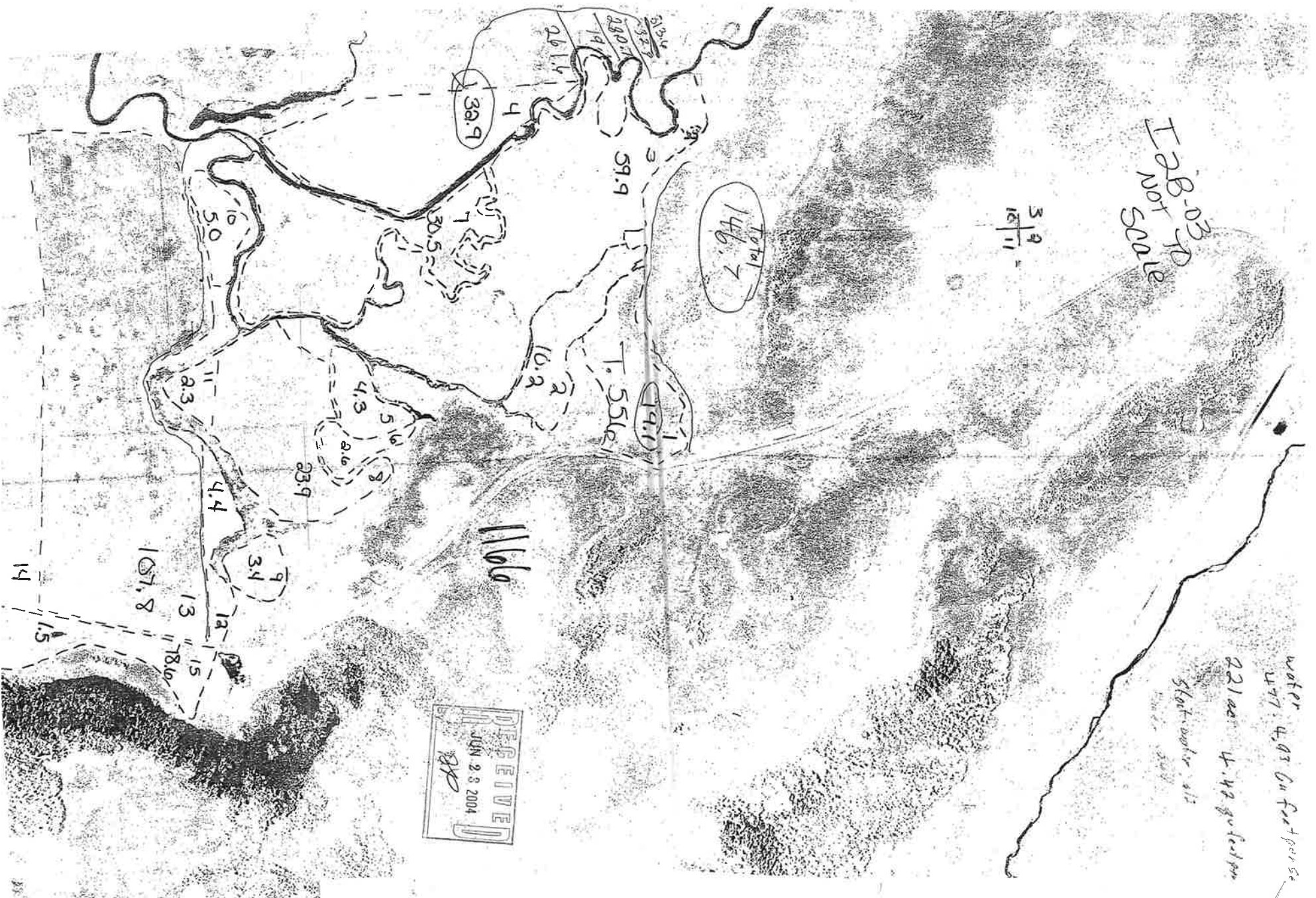
3.4

5.6

4.3

1166

RECEIVED
JUN 23 2004
88



261.6

.2

59.9

10.2

30.5

4.3

2.6

23.9

3.4

4.4

2.3

5.0

146.7

no house since 5-6 years
ago.

Thurs. -

7-1

9 am.

221.

1' =



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 23, 2003

Alma A. Hubbard
P.O. Box 341
Grace, ID 83241

Ref: Snake River Basin Adjudication (SRBA)
Claims 27-76 & 27-11317

Subject: Address Update
Change in place of use (POU)

Response date: January 23, 2004

IDWR has begun its investigation in basin 27 and expect to have recommendations to the SRBA court by mid-2004. So information and file update information needs to be handled as soon as possible to insure an accurate recommendation. IDWR records currently show the following address for the above referenced claims:

Alma A. Hubbard
745 Hubbard Road
Grace, ID 83241

The Caribou County Assessors office has informed us that your address has changed. In order for us to modify our records you need to fill out the enclosed change in address form and return it to this office. If there has been a change in the ownership of this land please advice the new owners that they must contact the Department to do an ownership change.

The evidence of priority documentation in the file doesn't support the claimed priority date but a 1933 date.

The Notice of Claim 27-76 and 27-11317 indicates that there has been a change in the point of diversion and place of use as described in the decree and affidavit of water submitted as evidence as described below:

Previous points of diversion: two points of diversion in the southwest quarter of section 11, township 5 south, range 42 east to

New point of diversion: one point of diversion in the NWSESE of section 10.

Previous place of use: E1/2SE1/4 of section 10; the SW1/4 of section 11; the NE1/4NE1/4 of section 15; and the N1/2NW1/4 of section 14; all in township five south, range forty-two east of the Boise Meridian, in Caribou County.

New place of use: E1/2SE1/4 of section 10; W1/2SW of section 11; E1/2NW and SW of section 14; and N1/2NW of section 23; all in township five south, range forty-two east of the Boise Meridian, in Caribou County.

A water right owner who has made a change in the point of diversion or place of use prior to the commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the change does not result in injury to other water rights, or be conditioned to prevent injury.

Before IDWR may recommend you claim, you must provide IDWR with the date the change was made and some evidence tending to support the date. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change occurred after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

The evidence of priority provided in file 27-11317 does not support the 1890 priority date. The evidence supports a 1933 priority date instead. If no further evidence is submitted then the priority date will be recommended as 1933.

This office must receive your response by the response date shown above. If no response is received, then your claim to water from the new point of diversion and place of use will not be recommended to be decreed.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosures: Copies of the Notice of Claims 27-76 and 27-11317.
Affidavit of water.
Address update form

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-76

WATER RIGHT NUMBER: 27-76

Owner Type Name and Address

Current Owner W H ELLISON

, ID

Priority Date: 01/01/1891

Basis: Decreed

Status: Active

Source

MEADOW CREEK

Tributary

BLACKFOOT RIVER

Beneficial Use

IRRIGATION

DOMESTIC

From To

/ to 7/01

1/01 to 12/31

Diversion Rate

8.000 CFS

Annual VolumeTotal Diversion: 8.000 CFSLocation of Point(s) of Diversion

MEADOW CREEK

Place of Use

IRRIGATION

H/20/04 CB -

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<i>No claims</i>	03S	42E	10												X				X
<i>No claims</i>	03S	42E	11									X	X						
<i>No claims</i>	03S	42E	14					X	X										
<i>No claims</i>	03S	42E	15	X			X												
	05S	42E	14				X			X	X	X							

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-76

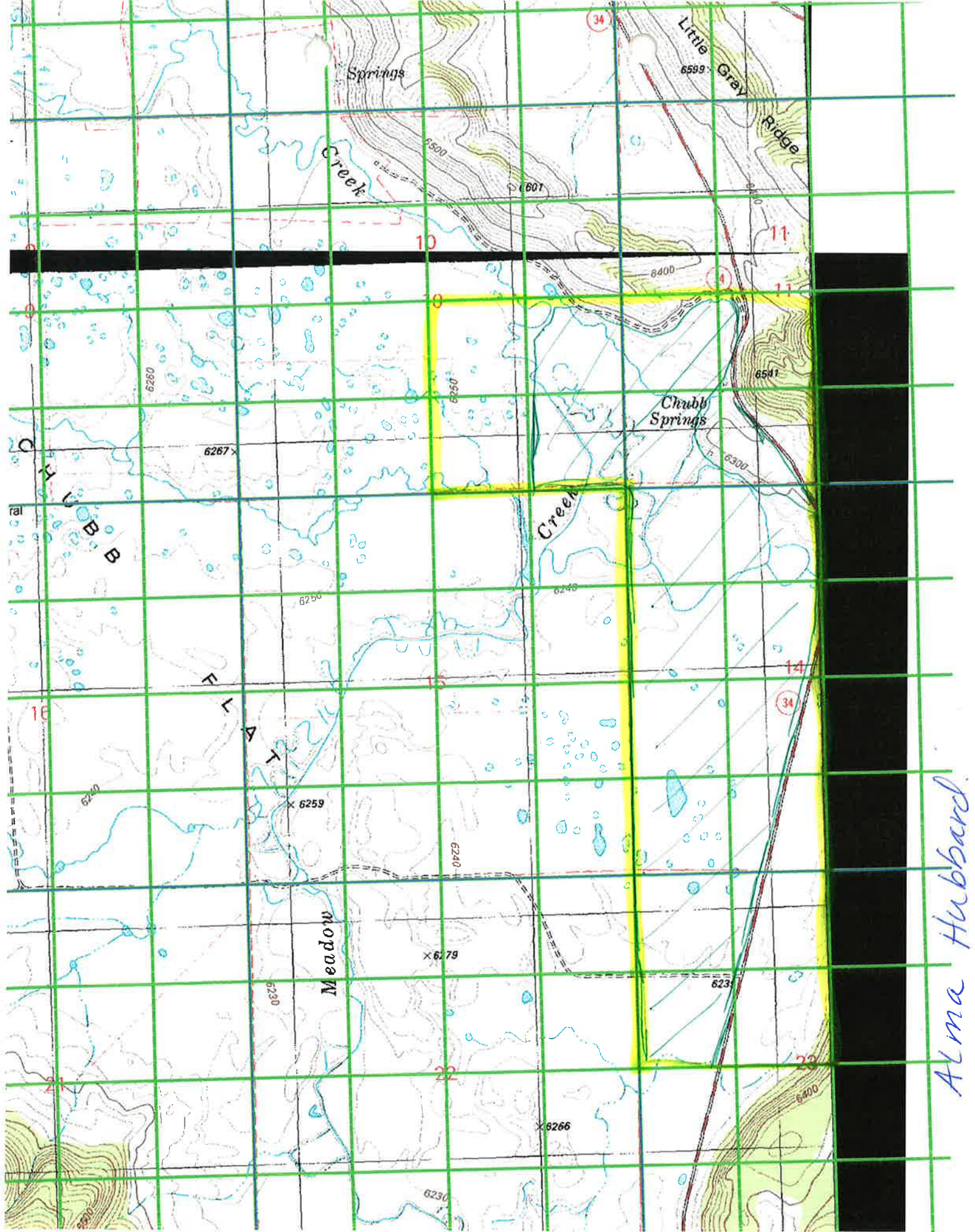
1. General P/D NOT GIVEN IN DECREE.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 8/1/1891
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 27
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Eastern Idaho Water Co, et al
Decree Plaintiff: Fred S Stevens, et al
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:



Alma Hubbard

T5S, R 42E Sects 10, 11, 14, 23. Z 96 & AA46 TOPO.

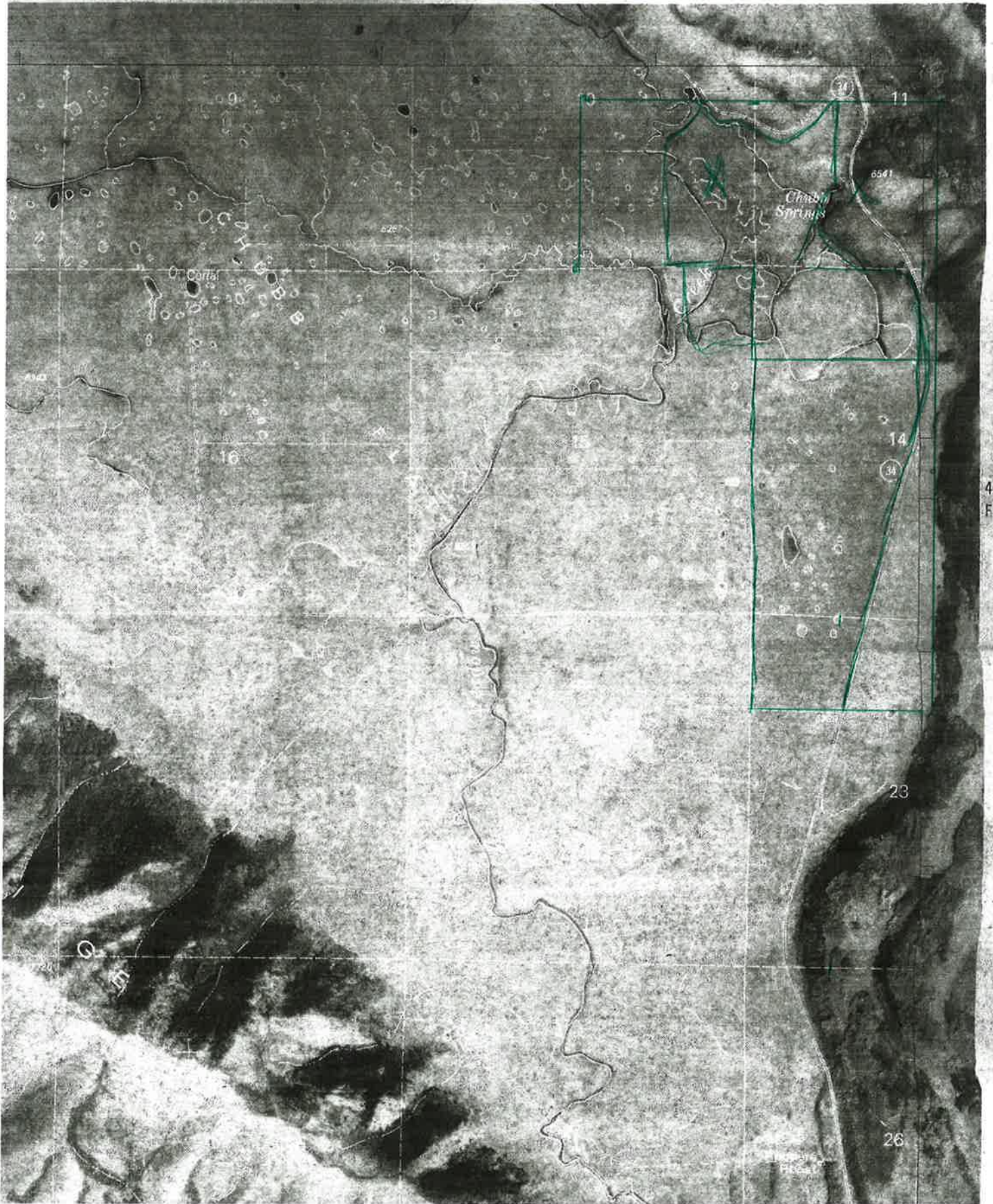
HENRY
HENRY-NE ORTHOPHOTOQUAD
IDAHO

670 000 FEET

111°30'

43°00'

480 000
FEET



1974 Orthoquad.

SCANNED

Log for claim 27-00076

Spatial Dynamics LTD

11/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s42e	10	NESE	35	33	
05s42e	10	SESE	40	38	
05s42e	11	NWSW	30	32	
05s42e	11	SWSW	35	35	
05s42e	14	NENW	39	39	
05s42e	14	NWNW	40	39	
05s42e	14	SWNW	40	40	
05s42e	14	SESW	40	38	
05s42e	14	NESW	30	28	
05s42e	14	NWSW	40	40	
05s42e	14	SWSW	40	38	
05s42e	14	SESW	20	18	
05s42e	23	NENW	8	6.8	
05s42e	23	NWNW	40	40	
Totals:			477	464.8	

AJ5809NP
No. A27-00076

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALMA A HUBBARD 745 HUBBARD RD GRACE ID 83241 (208) 425-3366	01/01/1891	IRRIGATION	04-01 07-01	8.000 CFS	
					TOTAL DIVERSION:	8.000 CFS
					CONSUMPTIVE USE:	1192.50 AFA

Water Source: MEADOW CREEK

Tributary to: BLACKFOOT RIVER

Stage: DECREED

Point(s) of Diversion: T05S R42E S10 NWSESE CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05S	42E	10	:					:						:											:	
05S	42E	11	:					:						:			30	35							:	
05S	42E	14	:					:	39	40	40	40	:	30	40	40	20								:	
05S	42E	23	:					:	08	40			:												:	
																							TOTAL ACRES		477.0	

POU County: CARIBOU

Non-Irrigation Uses: S/600 CATTLE

Other Rights: A27-11317.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 27 Field Inspection Flag:
Presumption Flag:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BINGHAM COUNTY.

Fred S. Stevens, et al.)
Plaintiffs,)
-vs-)
Eastern Idaho Water Co. et al.,)
Defendants.)

27.0 number 1 Copy
Transfers
Noted

This cause having been heretofore tried
by the Court, without a jury, and the Court having made its
findings of fact and conclusions of Law:

It is now ordered, Adjudged and Decreed, that the
following parties are entitled to divert from the Blackfoot
River, the amount of water herein indicated, and the right
of each party dates from the time hereinafter stated and
set opposite each name, to-wit:-

27 0013	Fred S. Stevens	July 6, A. D. 1869	138 Inches
27 0014	Henry Dunn	July 1, A. D. 1870	300 Inches
27 0016	N. A. Just and)	August 1, A. D. 1871	200 Inches
27 0015	Emma Just)		
27 0018	Leon Misslen	July 1st, A. D. 1873	200 Inches - Trans # 221
27 0017	John Misslen	July 1st, A. D. 1874	120 Inches Trans # 58
27 0018	H. R. Lewis	March 1st, A. D. 1875	100 Inches
27 0005	Presto Burrell	March 1st, A. D. 1876	100 Inches
27 0020	William Kirkpatrick	May 1st, A. D. 1878	100 Inches
27 0021	F. M. Shoemaker	April 1st, A. D. 1879	190 Inches TRANS # 1962
27 0022	Eastern Idaho Water Co.	March 25, A. D. 1880	1800 Inches
Trans 2468	P. B. Fox Jr.)		
	William Howard)		
	A. Whitten)		

RECORDED
MAY 15 1996

jointly and severally liable for the said one-fourth until such part is fully paid.

It is further Ordered, Adjudged and Decreed, that all parties to this action shall have the right to use the waters of the several streams named in this decree for domestic purposes.

Done on open Court, this August 1st, A. D. 1891.

CHAS. COBB,

Judge, Pro Tem.

Recorded in Judgment Book 1,
Page 107. Bingham County,
Idaho.

MICROFILMED

MAY 15 1996

#16.

ession of the following lands situate in Bingham County, Idaho, to-wit:

THE NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 7 South of Range 44 East of Boise Meridian and containing 200 acres.
J. T. Little:

That the defendant J. T. Little is now and himself his grantors and predecessors in interest have been since the year 1885 the owners and in the possession of the following land situate in Bingham Co., Idaho, to-wit:

The West $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 15, in township 7 South of Range 43 East of Boise Meridian; 480 acres.

W. H. Ellison:

That since the first day of May, 1888, said W. H. Ellison his grantors and predecessors in interest were, have been and now are the owners, in the possession and entitled to the possession of the following described tract of land situate and being in Bingham County, Idaho, to-Wit:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 10; E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 15; W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 11; W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 14, Township 3 S. R. 42 E.B.M., and E $\frac{1}{2}$ of NW $\frac{1}{4}$, and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 14 in Township 5 South of Range 42 East Boise Meridian, said land being in area 480 acres.

Abe Anderson:

That said defendant Abe Anderson, his grantors, and predecessors in interest, are now and have been during the times mentioned herein citizens of the United States over the age of 21 years.

That since the month of June 1886 the said defendant, his grantors and predecessors in interest have been and said defendant now is the owner and in the possession and entitled to the possession of 172 acres, more or less, of land situate in Bingham County, Idaho, and described as follows, to-wit:

The unsurveyed W $\frac{1}{2}$ of NE $\frac{1}{4}$ Fraction, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 18 in township 6, South of Range 42 E. Boise Meridian.

MAY 15 1996

TITLE
OF
CASE

Fred S. Stevens, et al.

vs.

Eastern Idaho Water Company, et al.

SOURCE: IRRIGATION DIVERSION & RECONSTRUCTION

PAGE

WATER DIST. 27

COUNTY Bingham

JUDICIAL DIST. 5

JUDGE Pro Tem. Chas. Cobb

DATE OF DECREE 8/1/1891

RECORDED IN BOOK NO. 1 AT PAGE NO. 31 FILE NO. 34-1

ASIN FN.	NO. DN.	DECREED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION SUBDIV. SEC. TWP. R&G.	REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
7	070	John Sharp, Sr.			5.68	10/17/1886	Lane Creek Note: To July 1st	S. Sec. 26; W. Sec. 32, T 7 S., R. 43 E. S. Sec. 1, S. Sec. 2, Lots 1, 2, 3, 4, Sec. 3, T 7 S., R. 44 E. 160 acres unsurveyed, near head of Lane Creek	
7	071	Wm. Kountze			3.2	4/1/1889	Lane Creek Note: To July 1st		
7	072	John Kountze			3.2	5/1/1889	Lane Creek Note: To July 1st		
7	073	Lars Hansen			3.2	7/1/1888	Meadow Creek Note: To July 1st	Lot 1, 2, Sec. 26, Lots 1, 2, NE Sec. 27, T 5 S., R. 42 E.	
7	074	W. H. Edwards, I. J. Edwards			4.0	5/1/1890	Meadow Creek Note: To July 1st	S. Sec. 5, T 5 S., R. 42 E., 160 Acres unsurveyed adjacent thereto, Also S. Sec. 5, T 5 S., R. 42 E.	
7	075	Evin McPherson			1.0	5/1/1890	Meadow Creek Note: To July 1st	S. Sec. 3, N. Sec. 10, T 5 S., R. 42 E.	
7	076	W. H. Ellison			8.0	1/1/1891	Meadow Creek Note: To July 1st	S. Sec. 10, E. Sec. 15, W. Sec. 11, W. Sec. 11, T 3 S., R. 42 E., E. Sec. 11, T 5 S., R. 42 E. Lot 3, S. Sec. 1, N. Sec. 1, S. Sec. 5 (T 2-R 7)	
7	077	Elizabeth Collett			3.2	4/1/1891	Meadow Creek Note: To July 1st		
7	078	O. B. Hansen			3.2	4/1/1891	Meadow Creek Note: To July 1st	S. Sec. 5, S. Sec. 4, T 6 S., R. 42 E.	
7	079	James Durney			2.0	5/1/1891	Meadow Creek Note: To July 1st		
7	080	H. C. Messingale			1.0	6/1/1891	Meadow Creek Note: To July 1st	S. Sec. 4, E. Sec. 9, T. 5 S., R. 42 E.	
7	085	John Sharp, Sr.			11.2	10/11/1886	Trail Creek Note: To July 1st		
7	086	John Sharp, Sr.				10/11/1886	Lake, Lake, Lake Cks. Note: To July 1st	Sec. 12, T. 7 S., R. 43 E.	
		George Romney			12.2	10/11/1886	Lake, Lake, Lake Cks. Note: To July 1st	Sec. 12, T. 7 S., R. 43 E.	
		W. W. Riter				10/11/1886	Lake, Lake, Lake Cks. Note: To July 1st	Sec. 12, T. 7 S., R. 43 E.	
7	087	E. Little			12.8	10/4/1886	Duck Spring Creek Note: To July 1st	S. Sec. 10, N. Sec. 15, T 7 S., R. 44 E.	
7	088	John Sharp, Jr.			12.8	10/4/1886	Highland Creek Note: To July 1st	NE Sec. 35, T 7 S., R. 43 E.	
7	089	L. S. Hills			8.0	10/11/1886	Butte Creek Note: To July 1st	NE Sec. 32; W. Sec. 33, T. 6 S., R. 44 E.	
7	090	J. F. Little			9.6	10/17/1886	Rock Creek Note: To July 1st	W. Sec. 14, SW Sec. 11, T 7 S., R. 44 E.	
7	091	Evin McPherson			1.0	5/15/1890	Sheep Creek Note: To July 1st	(Probably) W. Sec. 15, T. 7 S., R. 43 E.	
7	094						Lone Pine Creek Note: To July 1st	NE Sec. 3, N. Sec. 10, T. 5 S., R. 42 E.	
								NE Sec. 18, NE Sec. 17, SW Sec. 8, S. Sec.	

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 27-76
Date Received: 1/25/1990
Receipt No: M005595
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

ALMA A HUBBARD Phone: (208)425-3366
PO BOX 341
GRACE ID USA 83241

2. Date of Priority: 01/01/1891

3. Source: MEADOW CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	42E	10	NW NE SE	CARIBOU	
05S	42E	10	SW SE NE	CARIBOU	Beginning Point
05S	42E	14	NW SW NE	CARIBOU	Ending Point
05S	42E	10	SW NE SE	CARIBOU	

5. Description of diverting works:

HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/01 07/01	4.42	
STOCKWATER	01/01 12/31	0.02	

7. Total Quantity Appropriated is:

4.44 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
05S	42E	10	SE	NE		IRRIGATION	0.5
			NE	SE		IRRIGATION	31.2
			SE	SE		IRRIGATION	17.5
			SE	NE		STOCKWATER	
			NE	SE		STOCKWATER	
			SE	SE		STOCKWATER	
			Section Acres				
05S	42E	11	NW	SW		IRRIGATION	31.5
			SW	SW		IRRIGATION	38.8
			SW	SW		IRRIGATION	17.1
Section Acres						87.4	
05S	42E	14	NW	NE		IRRIGATION	2
			SW	NE		IRRIGATION	0.3
			NE	NW		IRRIGATION	33
			NW	NW		IRRIGATION	35
			SW	NW		IRRIGATION	2.5
			SE	NW		IRRIGATION	1
Section Acres						73.8	
05S	42E	15	SW	SW		IRRIGATION	10.6
			NE	SE		STOCKWATER	
Section Acres						10.6	
Total Acres						221	

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:

15. Basis of Claim: Decreed

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Alma O. Hubbard Date: 7-7-04

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of July, 2004

Cindy E. Bird
Notary Public

Residing at Lava Hot Springs
My commission Expires May 1, 2007



SCANNED

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: A27-00076

Date Received: 1/25/1990

Receipt No: W005595

Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALMA A. HUBBARD
Address: 745 HUBBARD RD.
GRACE, ID

208-425-3366

83241

2. Date of Priority: JAN 01, 1891

3. Source: MEADOW CREEK

Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	42E	10	NW	SE	SE		CARIBOU

Description of diverting works:
HEADGATE/DITCH

Water is used for the following purposes:
stock water

Begin 10 SENE
End 14 NWSE

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	8.000		

Total Quantity Appropriated is:
8.000 C.F.S. (and/or)

A.F.A.

Total consumptive use is 1192.5 Acre Feet Per Annum.

Non-irrigation uses:
S/600 CATTLE

Place of Use:

wnship	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	42E	10	NE	SE		IRR	35.0
			SE	SE		IRR	40.0

Section Acres 75.0

-00076

Page 1

Date: 01/25/90

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	42E	11	NW	SW		IRR	30.0
			SW	SW		IRR	35.0
			Section Acres				65.0
		14	NE✓	NW		IRR	39.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE✓	NW		IRR	40.0
			NE✓	SW		IRR	30.0
			NW✓	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	20.0
			Section Acres				289.0
		23	NE	NW		IRR	8.0
			NW	NW		IRR	40.0
			Section Acres				48.0
			Total Acres				477.0

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:
A27-11317.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FRED S. STEVENS, ET AL.
Decree Plaintiff

vs

EASTERN IDAHO WATER CO., ET AL
Decree Defendant

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Xalms a Gubbert Date: 1/25/90
_____ Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 90

Seal

Helen Harrington
Notary Public

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

27-00076

AA46

HENRY

HENRY NE ORTHOPHOTOQUAD
IDAHO

R42E

111°30'

0 000 FEET

43°00'

T5S

480 000
FEET

477
MICROFILMED

NOV 12 1992

