

02/11/2005

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

RIGHT NUMBER: 27-12059
NAME AND ADDRESS: BEAR LAKE GRAZING CO
3632 BENCH RD
MONTPELIER ID 83254



SOURCE: SPRING TRIBUTARY: LANES CREEK

QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/18/1886

POINT OF DIVERSION:
T06S R44E S32 SWNWSE Begin of Stream Flow Within CARIBOU County
T07S R44E S3 NWNWSW 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	06/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

T06S R44E S32	NWSE	T06S R44E S32	SESE
T07S R44E S03	NWSW	T07S R44E S04 Lot 2	NWNE
T07S R44E S04	NESE		

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER, 3000 CATTLE

PROFILED

SCANNED

MAY 04 2006

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

RIGHT NUMBER: 27-12059

NAME AND ADDRESS:

BEAR LAKE GRAZING CO
835 ALTON RD
MONTPELIER ID 83254

SOURCE:

Source:

Tributary:

UNNAMED STREAM

LANES CREEK

SPRING

QUANTITY:

0.020 CFS

8.500 AFY

~~28.350 AFY~~

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

The rights listed below are limited to a total combined annual diversion volume of 39.4 af. Combined Right Nos.: 27-12043, 27-12052, 27-12053, 27-12054, 27-12055, 27-12056, 27-12057, 27-12058, 27-12059, 27-12060, 27-12061, 27-12194, and 27-12195.

~~The rights listed below are limited to a total combined annual diversion volume for stockwater of 36.64 af. Combined Right Nos.: 27-12043, 27-12052, 27-12053, 27-12054, 27-12055, 27-12056, 27-12057, 27-12058, 27-12059, 27-12060 and 27-12061.~~

PRIORITY DATE: 10/18/1886

POINT OF DIVERSION:

T06S R44E S32 SWNWSE Begin of Stream Flow
Within CARIBOU County

T07S R44E S3 NWNWSW End of Stream Flow
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/01 11/30

0.020 CFS 8.50 AFY

~~06/01 11/01~~

~~0.020 CFS 28.35 AFY~~

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

PLACE OF USE: STOCKWATER within CARIBOU County

T06S R44E S32 NWSE

T06S R44E S32 SWSE

T06S R44E S32 SESE

T07S R44E S03 NSW

~~T07S R44E S04 Lot 2 NWNE~~

T07S R44E S04 Lot 2 SWNE

T07S R44E S04 Lot 1 SENE

T07S R44E S04 NESE

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 3000 cow-calf pairs.

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 27-12059
Date Received: 2/8/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

BEAR LAKE GRAZING CO Phone: (208)847-0636
3632 BENCH RD
MONTPELIER ID USA 83254

2. Date of Priority: 10/18/1886

3. Source: SPRING Trib. to: LANES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	44E	32	SW NW SE	CARIBOU	Beginning Point
07S	44E	3	NW NW SW	CARIBOU	Ending Point

5. Description of diverting works:

IN STREAM STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	06/01	11/01	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	44E	32	NW SE SE SE	STOCKWATER STOCKWATER	

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07S	44E	3	NW	SW		STOCKWATER
07S	44E	4	NW	NE	2	STOCKWATER
			NE	SE		STOCKWATER

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 3000 CATTLE

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 27-12059
Date Received 2-8-05
Receipt Number E030583**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Bear Lake Grazing Phone (208) 847-0636
Mailing Address 3632 Bench Rd Montpelier Zip 732542. Date of Priority (Only one per claim) 18 oct 1886 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other () (a) Spring
which is tributary to (b) hane ck. (Bull Pasture) Name or kind of source4. Location of point of diversion is: Township 6 S Range 44 E
Section 32 SE 1/4 of SW 1/4 of NW SE/4, Govt. Lot. Point Beginning BM.
County of CaribouAdditional points of diversion if any: T73 R 44 E Sec. 3
NW SW NW Point Ending5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. in stream stock

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stock purposes from 6/1 Month/Day to 1 Nov Month/Day amount .02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic give number of households served if single ownership; Stockwater: Type and Number of livestock) Beef 3000 hd.

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10. Place of use is: Township: 6 Range 44E

Section 32 NW 1/4 of 3E 1/4, Govt. Lot SESE (N 1/2 NE SE NE Sec. 4 SW 1/4 Sec. 3)
for (Circle One) Domestic (Stock) Domestic and Stock
Additional places of use, if any T7S R44E

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or

14. Remarks:

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Date

For Organizations: I do solemnly swear or affirm that I am Limited Partner

of Bear Lake Grazing Co. that I have signed the foregoing
document in the space below as Limited Partner of Bear Lake Grazing Co.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Paul J. Smith Date 5 Feb 05

Title and Organization Limited Partner Bear Lake Grazing Co.

State of Idaho/or)

County of Bannock) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 3rd day of February, 2005

Notary Public Cindy E Bird

Residing at Lava Hot Springs

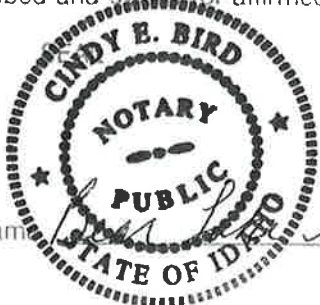
My Commission Expires May 1, 2007

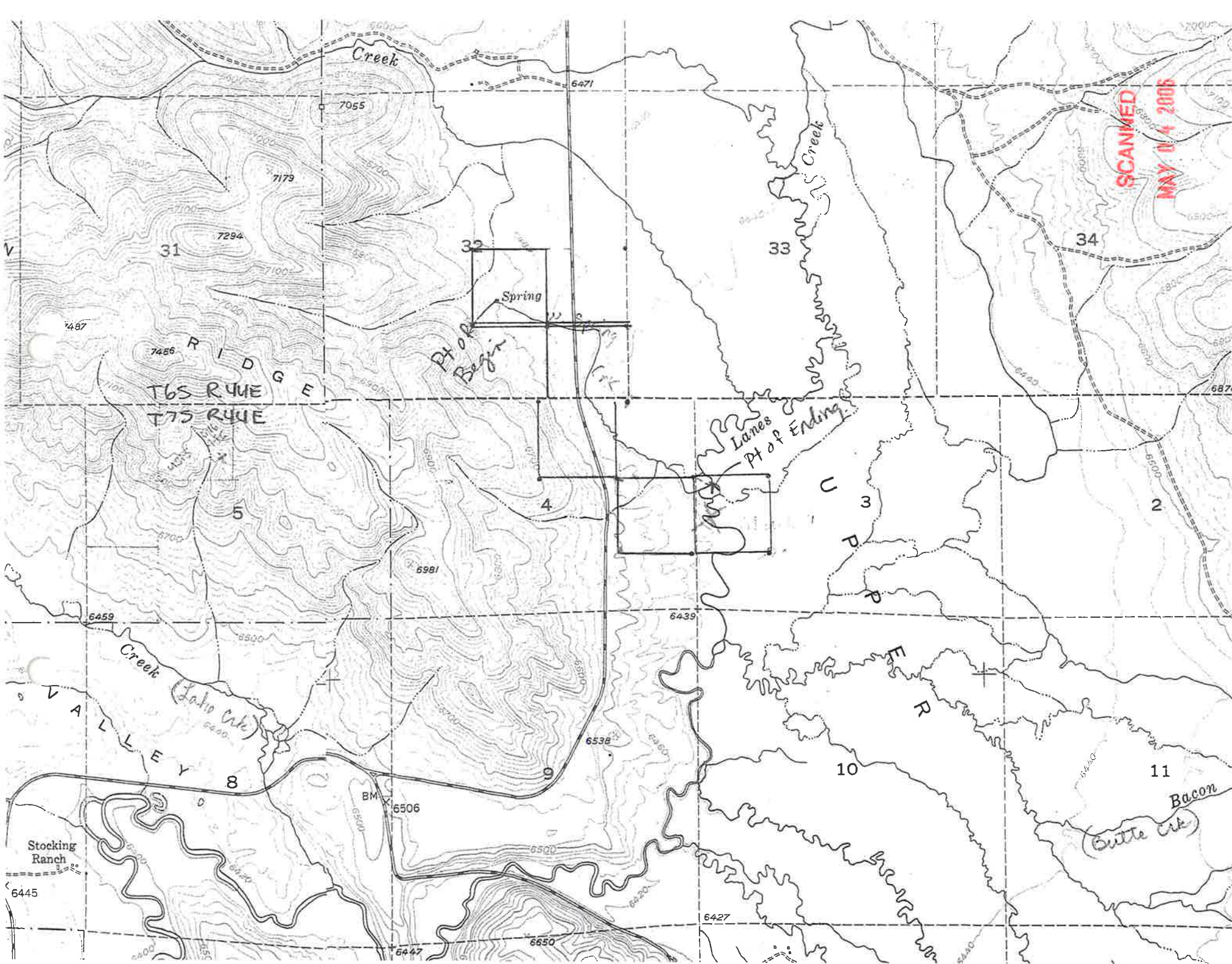
Last Name Grazing Ident No.

Copies: White-State, Yellow-Claimant

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MAY 04 2006





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MAY 04 2006