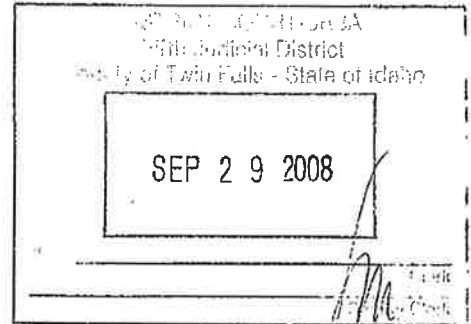


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12076



NAME AND ADDRESS: DORIS BOLLAR HAYDEN
PO BOX 598
SODA SPRINGS, ID 83276

SOURCE: SLUG CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.02 CFS
1.97 AFY

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

PRIORITY DATE: 08/02/1945

POINT OF DIVERSION: T08S R43E S24 NESEW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
		5/10 11/15	1.97 AFY 1.6

PLACE OF USE: Stockwater Within Caribou County

T08S R43E S13	NESW	SESW
S24	NWNE	

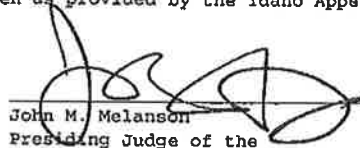
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

140 pairs
comb limit w/ 27-12079

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

1-5-2010

RIGHT NUMBER: 27-12076

NAME AND ADDRESS:

DORIS BOLLAR HAYDEN
PO BOX 598
SODA SPRINGS ID 83276

SOURCE:

Source:
SLUG CREEK

Tributary:
BLACKFOOT RIVER

QUANTITY:

0.020 CFS

1.600 AFY

1.970 AFY

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

Right Nos. 27-12076 and 27-12079 are limited to a total combined annual diversion volume of 1.6 AF.

PRIORITY DATE: 08/02/1945

POINT OF DIVERSION:

T08S R43E S24 NESENW
Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/10 11/15

0.020 CFS 1.60 AFY

05/01 11/30

0.020 CFS 1.97 AFY

PLACE OF USE:

STOCKWATER within CARIBOU County
T08S R43E S13 NESW
T08S R43E S13 SESW
T08S R43E S24 NWNE

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 140 cow-calf pairs.

~~Stockwater use is for 250 cattle~~

July 21, 2006. J.V. Bollar Measurements

15" Broad crested Weir installed into Slug crk ditch.
+ Caldwell crk ditch.

Slug crk. 12cm. = gage reading.

120mm = 12cm. Conversion for table.

The table doesn't give a value for 120mm.

$$\frac{119}{1.023} = \frac{120}{X}$$

$$X \left(\frac{119}{1.023} \right) = 120$$

$$X = 120 \left(\frac{1.023}{119} \right)$$

$$\underline{X = 1.03 \text{ cfs.}}$$

Caldwell crk.

6cm = gage Reading.

$$60\text{mm} = 6\text{cm.}$$

$$\frac{61}{0.3834} = \frac{60}{X}$$

$$X \left(\frac{61}{0.3834} \right) = 60$$

$$X = 60 \left(\frac{0.3834}{61} \right)$$

$$X = 0.377 \text{ cfs.}$$

$$\underline{X \approx 0.38 \text{ cfs.}}$$

J.V.
Bollar
27-12079
27-12076
547-4657(4)
140 pairs 1.6 AFY
5/10 - 11/15 (190 days)
called 7/27/09
Caldwell instream
slug cr diverted
needs combined limit

Measurements and calculations done by C. Bird, F. D. W.

**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. 27-12076
)
) **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 the 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.

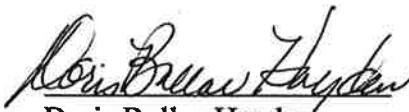
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Doris Bollar-Hayden

OBJECTOR:

Shoshone-Bannock Tribes


Doris Bollar-Hayden

9/17/07
Date

Jeanette Wolfley
Attorney

Date

RESPONDENT:

State of Idaho

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

Date

IDWR CONCURRENCE:

Cindy Bird

Cindy Bird
Water Resource Agent

6/7/07

Date

IDWR CONCURRENCE:

Garrick L. Baxter
Deputy Attorney General

Date

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

RIGHT NUMBER: 27-12076

NAME AND ADDRESS: DORIS BOLLAR HAYDEN
PO BOX 598
SODA SPRINGS ID 83276

CB
OBH

SOURCE: SLUG CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS
1.97 AFY

1.6 AFY

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

PRIORITY DATE: 08/02/1945

POINT OF
DIVERSION: T08S R43E S24 NESENW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/01 11/30

QUANTITY
0.020 CFS

1.97 AFY 1.6

5/10 11/15

PLACE OF USE: STOCKWATER

Within CARIBOU County

T08S R43E S13

NESW

~~T08S R43E S13~~

~~NWSW~~

~~T08S R43E S13~~

~~SWSW~~

T08S R43E S13

SESW

T08S R43E S24

NWNE

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 250 cattle

140 gallons

CERTIFICATE OF MAILING

I certify that on _____, 2007 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Doris Bollar-Hayden
P.O. Box 598
Soda Springs, Idaho 83276

Jeanette Wolfley
202 N. Arthur
Pocatello, Idaho 83204
Of Attorneys for
Shoshone-Bannock Tribe

Signature of person or attorney mailing the form

05/12/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-12076

DORIS BOLLAR HAYDEN

PO BOX 598

SODA SPRINGS ID 83276

Telephone Number: (208)547-3730

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: JUNE 13/2005 SIGNATURE: Doris Bollar Hayden
Please print your name: DORIS BOLLAR HAYDEN

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

**SCANNED
APR 27 2006**

**RECEIVED
JUN 20 2005**

Department of Water Resources
Eastern Region

*KMT
6/21*

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 27-12076
Date Received: 5/9/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

DORIS BOLLAR HAYDEN Phone: (208)547-3730
PO BOX 598
SODA SPRINGS ID USA 83276

2. Date of Priority: 08/02/1945

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	43E	24	NE SE NW	CARIBOU	

5. Description of diverting works:

CULVERT AND HEADGATE THAT DIVERTS TO A DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	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
08S	43E	13	NW SW	STOCKWATER	
			NE SW	STOCKWATER	
			SE SW	STOCKWATER	
			SW SW	STOCKWATER	

08S

43E 24

NW

NE

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 use is for 250 cattle

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

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

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.

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 FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. 27-12076
Date Received 5-9-05
Receipt Number E030868NOTICE 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) Doris BOLLAR HAYDEN Phone (208) 547-3730
Mailing Address Box 598- Soda Springs, ID. Zip 832762. Date of Priority (Only one per claim) 8/2/1945 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other () (a) Slug Creek
which is tributary to (b) Blackfoot R. Name or kind of source4. Location of point of diversion is: Township 8 S Range 43 E
Section 24 NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of CARIBOU.

Additional points of diversion if any: _____

5. 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. Culvert and head gate that diverts to a ditch.6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)For Stockwater purposes from May 1 ^{Month/Day} to November 30 ^{Month/Day} amount .02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.02 (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) Used by cattle - mother cows, and calves, yearling replacement heifers - total number would not exceed 250 head on any one day. Also 5 to 8 head of horses.

10. Place of use is: Township: 35 Range 43 E
Section 24 NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any Same as above section 13 SW 1/4

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alexis Beller Hayden Date MAR. 4/2005
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

Organization _____ document in the space below as _____ of _____

Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

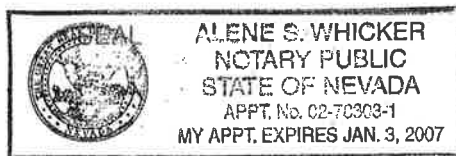
Title and Organization _____

State of Idaho/or Nevada)

County of Clark) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 4th day of March 2005



Notary Public Aleene S. Whicker

Residing at Mesquite, NV.

My Commission Expires Jan. 3, 2007

Last Name Whicker Hayden Ident No. 02-78303-1

Copies: White-State, Yellow-Claimant