

10/26/2005

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

RIGHT NUMBER: 27-12109

NAME AND ADDRESS: P THOMAS BLOTTER FAMILY LTD PARTNERSHIP
C/O P THOMAS BLOTTER
3250 N 1200 E
LOGAN UT 84321

SOURCE: JOHNSON CREEK

TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

The rights listed below are limited to a total combined diversion rate of 1.4 cfs. Combined Right Nos.: 27-2015 and 27-12109

PRIORITY DATE: 04/01/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T08S R43E S26 NWNESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.400 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T08S R43E S25	NESW	21.0	T08S R43E S25	SESW	4.3
T08S R43E S25	NESE	37.0	T08S R43E S25	NWSE	40.0
T08S R43E S25	SWSE	39.0	T08S R43E S25	SESE	40.0

181.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 181.3 acres in a single irrigation season. Combined Right Nos.: 27-2015 and 27-12109

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

This is an enlargement of right 27-2015.

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.

This right is based upon an enlargement of Right No. 27-2015 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

This right is for an enlargement of 111.3 acres within the place of use described for this right.

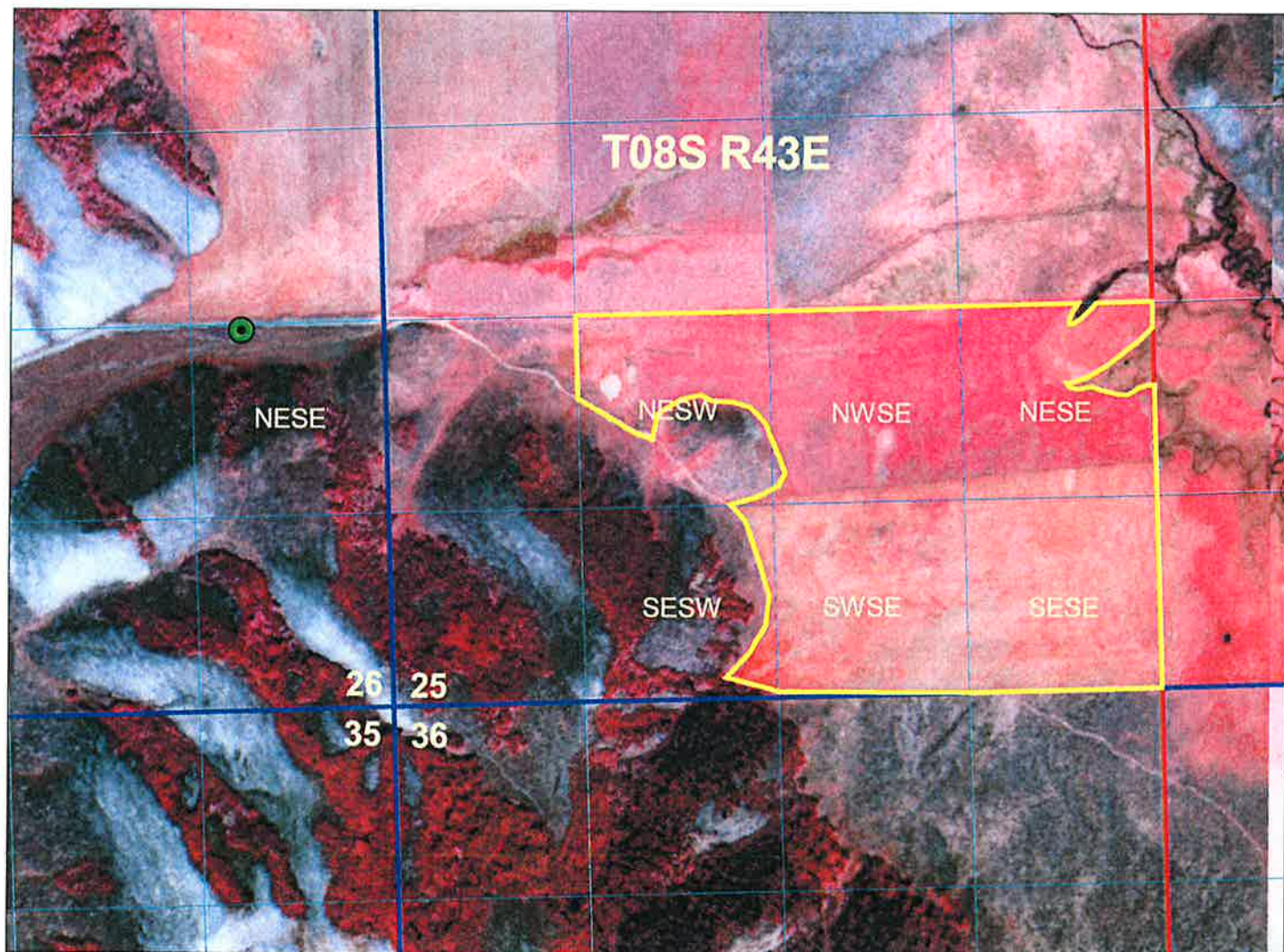
Water Right 27-12109

1

Department of Water Resources Eastern Region



Claim No.: 27-2015 and 27-12109



0 660 1320 1980 2640 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

SCANNED
APR 27 2006

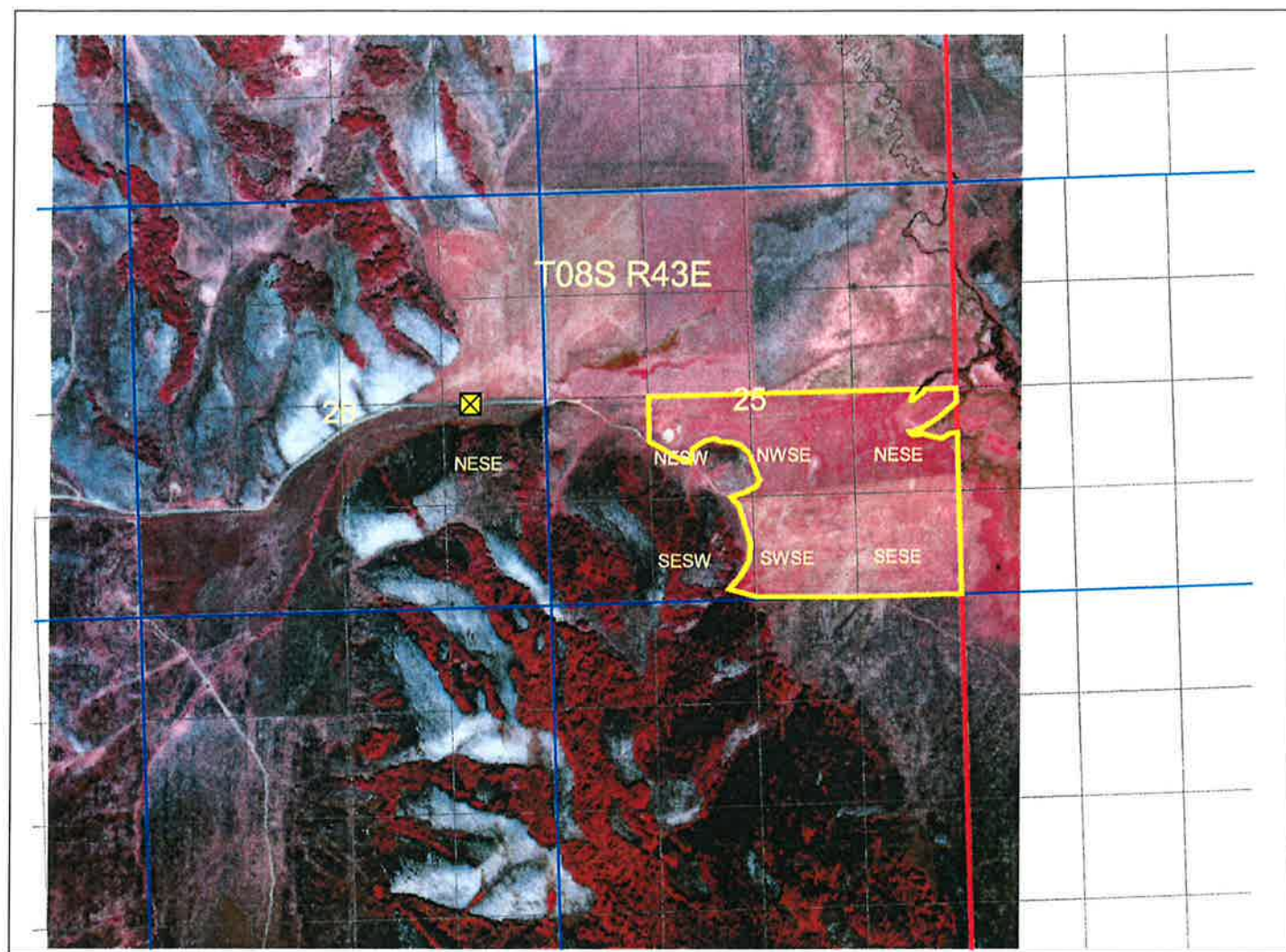


PROFILED

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

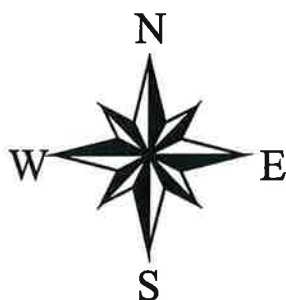
Department of Water Resources

Claim No.: 27-2015
27-12109



0 1320 2640 3960 5280 6600 Feet

-  Place of Use
-  Point of diversion
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1992 Aerial Photography
Prepared by: E. Carlsen
Date: October 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 W Center Street, Soda Springs, Idaho 83276-1575

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

FILE
COPY

February 22, 2007

P. Thomas Blotter Family LTD Partnership
C/O Thomas Blotter
3250 N 1200 E
Logan, UT 84321

REF: SRBA Rights 27-2001, 27-2003A, 27-2008, 27-2015, 27-2026, 27-2041A and 27-12109

Subject: Basin 27 Objections to Irrigation Use

Dear Claimant:

This letter concerns the objection filed by the Shoshone-Bannock Tribes and/or the Bureau of Indian Affairs (collectively referred to as "the Tribal Objectors") to your water right in the Snake River Basin Adjudication (SRBA) and the concurrence of the Idaho Department of Water Resources (IDWR) in a proposed settlement agreement to resolve the objection.

It is IDWR's understanding that you have agreed to settle the volume objection made by the Tribal Objectors to your water right by including a specific total annual volume limit on your irrigation water right. Recently, the Tribal Objectors requested that IDWR concur in the settlement agreement. IDWR is reluctant to concur in such settlements because of a lack of information regarding actual diverted volumes in Basin 27. If a volume limit is to be included in a water right, IDWR wants to make sure that the volume limit is as accurate as possible. To this end, IDWR is currently in the process of implementing a study intended to provide a basis for determining diverted volumes in Basin 27. Still, IDWR realizes that some water users might have information that would provide actual diverted volumes for their water rights, thus eliminating the need to wait for completion of the study. As such, IDWR is requesting any information you have to support historical diversion amounts for your water right. If you have any such information, please send it to the address listed above.

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JUN 06 2007

If you have any questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CC: BIA, U.S. Dept. Of Justice
Jeanette Wolfley, Shoshone-Bannock Tribes
State Of Idaho, David Barber
Garrick Baxter, Deputy Attorney General

SCANNED

JUN 06 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 26, 2005

Thomas Blotter
P Thomas Blotter Family LTD Partnership
C/O P Thomas Blotter
3250 N 1200 E
Logan UT 84321

RE: Change to Preliminary Director's Report 27-2015 and 27-12109

Dear Thomas:

The purpose of this letter is to notify you the Preliminary Director's Reports you previously received for the above referenced claims have been changed. A printout of the new Preliminary Director's Reports and a map is included for your records.

The enclosed report is based on information obtained subsequent to the initial mailing and replaces the previous Preliminary Director's Reports. I urge you to take a few minutes and review the elements of your water rights as reflected on these revised Preliminary Director's Reports.

The Department expects to submit to the Snake River Basin Adjudication Court all recommendations for the Blackfoot Drainage, Basin 27, in November 2005. At that time you will receive a Director's Report for your water right, which should mirror these revised preliminary recommendation. The Director's Report mailing will not include a map.

Naturally if you have questions please call me at the above phone number.

Respectfully Submitted,

Ernest Carlsen
Water Right Supervisor

Enclosures (3)

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APR 27 2006

PROFILED

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 27-12109
Date Received: 10/3/2005
Receipt No: *Se*
Received By: *6031392*

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

1. Name of Claimant(s)

P THOMAS BLOTTER FAMILY LTD PARTNERSHIP Phone: (435)753-3008

C/O P THOMAS BLOTTER
3250 N 1200 E
LOGAN UT USA 84321

2. Date of Priority: 04/01/1987

3. Source: JOHNSON CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	43E	26	NW NE SE	CARIBOU	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.4	

7. Total Quantity Appropriated is:

1.4 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	25	NE SW	IRRIGATION	21
			SE SW	IRRIGATION	4.3
			NE SE	IRRIGATION	37
			NW SE	IRRIGATION	40

SW SE
SE SE

IRRIGATION 39
IRRIGATION 40

Section Acres 181.3

Total Acres 181.3

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:

This is an enlargement of right 27-2015.

15. Basis of Claim: Beneficial Use

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: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of

P. Thomas Both Family LTD Partnership Title

Organization that I have signed the foregoing document in the space below as General Partner of

P. Thomas Both Family LTD Partnership Title and that the statements contained in the foregoing document are true and correct. P. Thomas Both

Signature of Authorized Agent

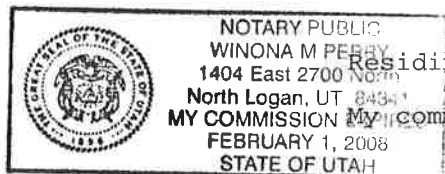
General Partner
Title and Organization

13 Oct 05
Date

State of Utah)
County of Cache) SS.

Subscribed and sworn (or affirmed) before me this 13 day of Oct 2005

Winona M Perry
Notary Public



Residing at 1404 E 2700 N North Logan UT 84301
My commission Expires 2/1/08