

11/05/2009

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

RIGHT NUMBER: 27-12188

NAME AND ADDRESS: BRENT STEFFLER
625 N 800 E
FIRTH ID 83236

RHONDA STEFFLER
625 N 800 E
FIRTH ID 83236

SOURCE: CEDAR CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS
10.900 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 10.9 af. Combined Right Nos.: 27-12186, 27-12187, and 27-12188.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T02S R38E S28 SWSESE End of Stream Flow Within BINGHAM County

T02S R38E S34 NENENE End of Stream Flow Within BINGHAM County

T02S R38E S34 NENWNW Begin of Stream Flow Within BINGHAM County

T02S R38E S35 NWNWNW Begin of Stream Flow Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 01/15	0.020 CFS 10.90 AFY

PLACE OF USE: STOCKWATER in BINGHAM County

T02S R38E S28	SESE	T02S R38E S33	NENE
T02S R38E S34	NENE	T02S R38E S34	NWNW
T02S R38E S35	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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 1000 cow/calf pairs.

Claim No(s). 27-12188

Claim No(s). 27-12188

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 25, 2009

BRENT AND RHONDA STEFFLER
625 N 800 E
FIRTH ID 83236

RE: Snake River Basin Adjudication (SRBA) ✓
Late Notices of Claim to a Water Right #27-12186, 27-12187 and 27-12188

Dear Claimants:

The Notices of Claim to a Water Right referenced above were received from the SRBA Court recently. I have enclosed your receipt #C088857 for the fees you paid. Please retain the receipt for your records.

These Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4916 if you have any questions.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:state

Enclosure:

Receipt Referenced Above

SCANNED

JUN 23 2009

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

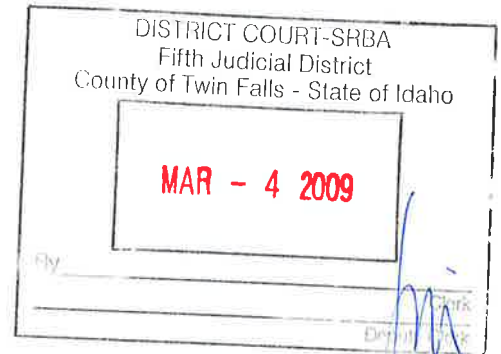
Ident. Number 27-12188
Date Received: 3/2/2009
Receipt No: C088857
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRENT STEFFLER Phone: (208) 346-6713
625 N 800 E
FIRTH ID USA 83236

RHONDA STEFFLER Phone: (208) 346-6713
625 N 800 E
FIRTH ID USA 83236



2. Date of Priority: 04/01/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	38E	34	NE NW NW	BINGHAM	Beginning Point
02S	38E	28	SW SE SE	BINGHAM	Ending Point
02S	38E	34	NE NE NE	BINGHAM	Ending Point
02S	38E	35	NW NW NW	BINGHAM	Beginning Point

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/15	01/15	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
JUN 22 2009

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	38E	28	SE	SE	STOCKWATER	
02S	38E	33	NE	NE	STOCKWATER	
02S	38E	34	NW	NW	STOCKWATER	
			NE	NE	STOCKWATER	
02S	38E	35	NW	NW	STOCKWATER	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

Stockwater use is for 1000 cow/calf pairs.

AWAITING ACCEPTANCE OF CLAIM BY SRBA COURT.

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 Individuals:

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

Signature of Claimant(s): Brent Lippin Date: 3-2-09

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
of March 2009

2nd day
Jonie M. Barger
Notary Public

Residing at Idaho Falls

My commission Expires July 24, 2013



RECEIVED

JUN 19 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 18 2009

By

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

Clerk
Deputy Clerk

In Re SRBA

)

Subcases: 27-12186, 27-12187 & 27-12188

)

Case No. 39576

)

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

)

)

)

On March 4, 2009, Brent and Rhonda Steffler filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on June 16, 2009. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated June 18, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

SCANNED

JUN 22 2009

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on June 18,
2009, with sufficient first-class postage to the following:

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

BRENT STEFFLER
RHONDA STEFFLER
625 N 800 E
FIRTH, ID 83236
Phone: 208-346-6713

SCANNED

JUN 22 2009

ORDER

Page 1 6/18/09

FILE COPY FOR 00707

Deputy Clerk

Julie Murphy

RECEIVED

MAR 05 2009

DEPARTMENT OF
WATER RESOURCES

Hearing: 6-16-09

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

*fees good
PW shape by
MWH*

In Re SRBA

Claim is complete

Subcase 27-12188

(Insert water right number)

Fees correct

Case 39576

*3-9-09
cs*

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

SCANNED

MAR 05 2009

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Brent Steffler

My address is 625 N 800 E
Firth Idaho 83236

My phone number is: Work 251 8064 Home 208-346-6713

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

of the division of the land

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tue June 16th 09 1:30 PM
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

VERIFICATION (Must be completed)

State of Idaho

County of Blaine

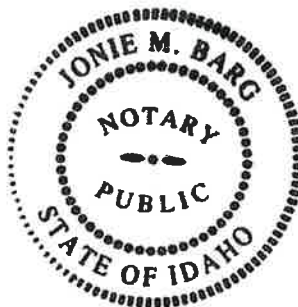
Brent Steffler, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Brent Steffler
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 2, 2009
(Insert Date)



Jonie M. Bargo
Notary Public for State of Idaho
Residing at: Idaho Falls
My Commission expires: July 24, 2013

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 3-2, ²⁰⁰⁹~~199~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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 27-12188
Date Received: 3/2/2009
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRENT STEFFLER Phone: (208)346-6713
625 N 800 E
FIRTH ID USA 83236

RONDA STEFFLER Phone: (208)346-6713
625 N 800 E
FIRTH ID USA 83236

2. Date of Priority: 04/01/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	38E	34	NE NW NW	BINGHAM	Beginning Point
02S	38E	28	SW SE SE	BINGHAM	Ending Point
02S	38E	34	NE NE NE	BINGHAM	Ending Point
02S	38E	35	NW NW NW	BINGHAM	Beginning Point

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/15	01/15	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
02S	38E	28	SE	SE	STOCKWATER	
02S	38E	33	NE	NE	STOCKWATER	
02S	38E	34	NW	NW	STOCKWATER	
			NE	NE	STOCKWATER	
02S	38E	35	NW	NW	STOCKWATER	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

Stockwater use is for 1000 cow/calf pairs.

AWAITING ACCEPTANCE OF CLAIM BY SRBA COURT.

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 Individuals:

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

Signature of Claimant(s): Brent L. Lipp Date: 3-2-09

Date:

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

of March 2009

2nd day
Jonie M. Barga
Notary Public

Residing at Idaho Falls

My commission Expires July 24 2013

