

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 01-00187D

NAME AND ADDRESS:           LENROOT CANAL CO  
                                  C/O LYNN NELSON JR  
                                  617 W 7800 S  
                                  REXBURG, ID 83440

SOURCE:                         SNAKE RIVER     TRIBUTARY: COLUMBIA RIVER

QUANTITY:                       0.007 CFS

The rights listed below are limited to a total combined annual diversion volume of 409.5 af. Combined Right Nos.: 1-149B, 1-150B, 1-151B, 1-182D, 1-187D, 1-251B, and 1-323B. Adequate headgates and measuring devices shall be maintained in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE:               06/01/1894

POINT OF DIVERSION:       T04N R40E S08                 SWNESW   Within Madison County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|-------------------------------|----------------|----------------|-----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.007 CFS |

PLACE OF USE:

Place of use is within the area served by Lenroot Canal Company. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. The rights listed below are limited to the irrigation of a combined total of 117 acres in a single irrigation season. Combined Right Nos.: 1-149B, 1-150B, 1-151B, 1-182D, 1-187D, 1-251B, and 1-323B.

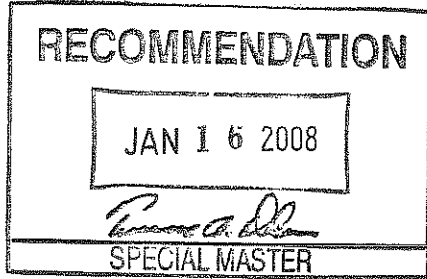
3031 ACRES TOTAL

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. I.C. SECTION 42-1412(6).

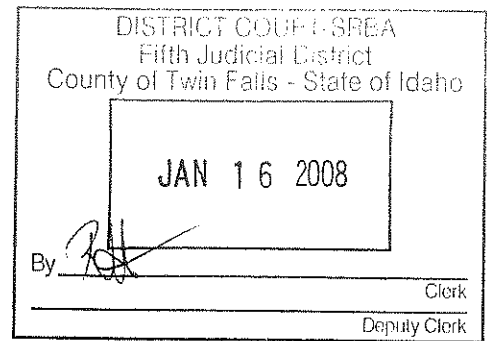
RULE 54(b) CERTIFICATE

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.



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



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 ) Subcases 01-97, et al.  
Case No. 39576 ) (see list of 15 subcases attached)  
 ) (Lenroot Canal Co.)  
 )  
 ) SPECIAL MASTER REPORT

**Findings of Fact**

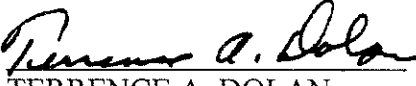
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area Basin 01, IDWR Part 2* on December 19, 2006. The Director recommended the above 15 claims to the Lenroot Canal Company, c/o Lynn Nelson, Jr., 617 West, 7800 South, Rexburg, Idaho, 83440, for between .007 cfs and 100 cfs from the Snake River to irrigate 3,031 acres in Madison County from April 1 to October 31 with priority dates between June 1, 1884, and April 1, 1939, based on a decree.

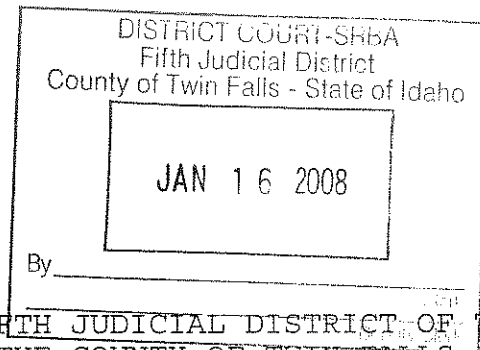
The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on April 18, 2007, objecting to place of use. On January 10, 2008, the Canal Company and the USDI / BLM, with IDWR's concurrence, filed *Standard Forms 5* agreeing to the digital boundary of the area served by Canal Company and removing federal public land from the digital boundary.

**Conclusions of Law**

The Lenroot Canal Company is entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights*.

DATED January 16, 2008.

  
TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication



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 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 01-00097  
(SEE ATTACHED EXHIBIT A)

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 16, 2008, with sufficient first-class postage prepaid to the following:

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

CERTIFICATE OF MAILING

PAGE 1  
01/16/08

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

LENROOT CANAL CO  
C/O LYNN NELSON JR  
617 W 7800 S  
REXBURG, ID 83440  
Phone: 208-356-6630



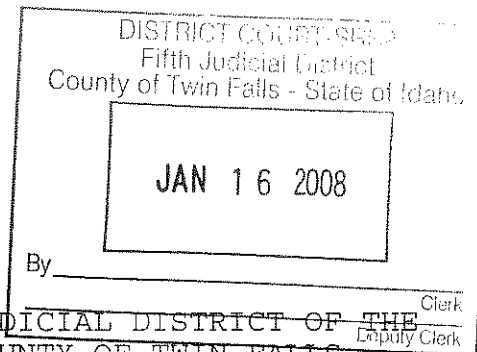
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ROBBIN HALL  
Deputy Clerk

Exhibit A

Subcase Nos:

01-00097  
01-00098  
01-00099  
01-00100  
01-00101  
01-00149B  
01-00150B  
01-00151B  
01-00182D  
01-00187D  
01-00251B  
01-00323B  
01-10014  
01-10015  
01-10016



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\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s): 01-00097  
(SEE ATTACHED EXHIBIT A)

On January 16, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 16, 2008.

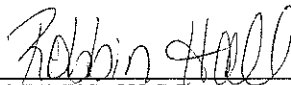
  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk

Exhibit A

Subcase Nos:

01-00097  
01-00098  
01-00099  
01-00100  
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01-00149B  
01-00150B  
01-00151B  
01-00182D  
01-00187D  
01-00251B  
01-00323B  
01-10014  
01-10015  
01-10016



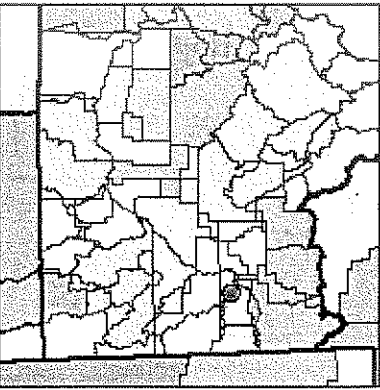
# Lenroot Canal Co

SRBA Recommendations: 1-97, 1-98, 1-99, 1-100, 1-101, 1-149B, 1-150B, 1-151B, 1-182D, 1-187D, 1-251B, 1-323B, 1-10014, 1-10015, 1-10016

Service Area Boundary  
GIS Place of Use Illustration

## Legend

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



Jefferson, Madison Counties  
IDWR Basin 1



Prepared by D. Favreau  
On Friday, December 14, 2007  
1987/88 Aerial Photography

