

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 01-00323B

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: 0.674 CFS

Adequate headgates and measuring devices shall be maintained in a manner that will provide the watermaster suitable control of the diversion.

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.

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T04N R40E S08 SWNESW Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.674 CFS

PLACE OF USE:

Place of use is within the area served by Lenroot Canal Company. 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. 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.
3031 ACRES TOTAL

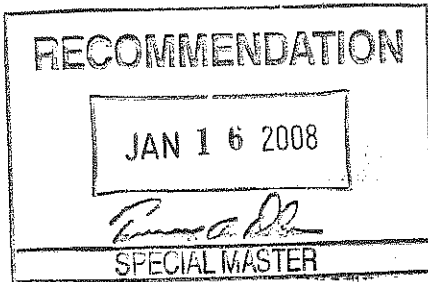
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation space holder contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

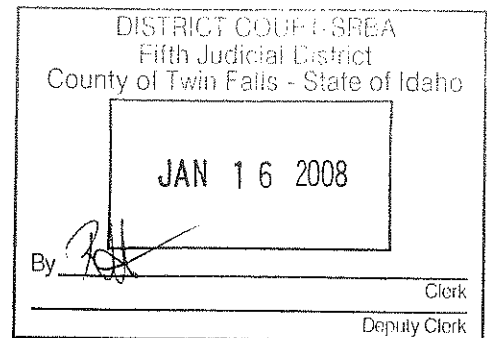
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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



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

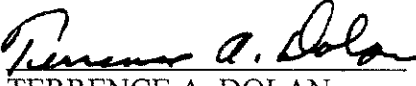
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area Basin 01, IDWR Part 2* on December 19, 2006. The Director recommended the above 15 claims to the Lenroot Canal Company, c/o Lynn Nelson, Jr., 617 West, 7800 South, Rexburg, Idaho, 83440, for between .007 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.

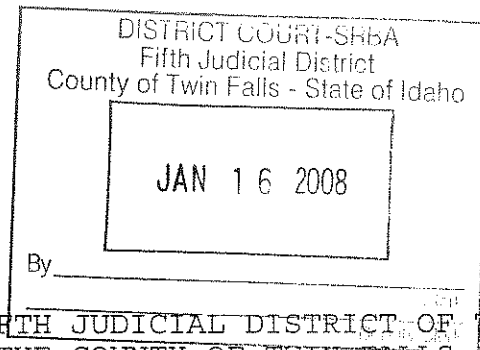
The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on April 18, 2007, objecting to place of use. On January 10, 2008, the Canal Company and the USDI / BLM, with IDWR's concurrence, filed *Standard Forms 5* agreeing to the digital boundary of the area served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

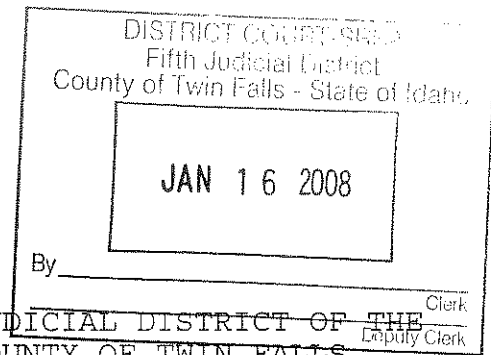


ROBBIN HALL
Deputy Clerk

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



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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

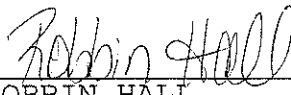
Water Right(s): 01-00097
(SEE ATTACHED EXHIBIT A)

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
01-00101
01-00149B
01-00150B
01-00151B
01-00182D
01-00187D
01-00251B
01-00323B
01-10014
01-10015
01-10016



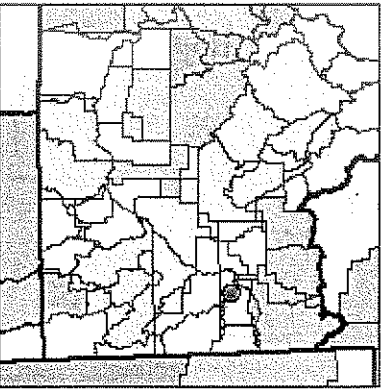
Lenroot Canal Co

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

