

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 01-10159

NAME AND ADDRESS: HARRISON CANAL & IRRIGATION CO
JOEL BRIGHTON PRESIDENT
1074 E 129 N
IDAHO FALLS, ID 83401

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 4.49 CFS

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION: T04N R40E S27 NWSW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.49 CFS

PLACE OF USE:

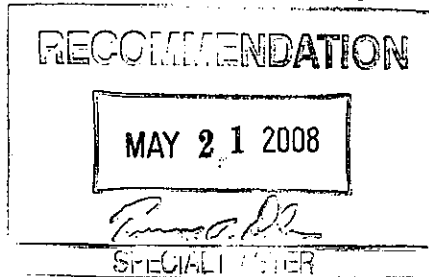
Place of use is within the area served by Harrison Canal & Irrigation Company.
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital 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.
12364 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.



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

RECEIVED

MAY 22 2008

DEPARTMENT OF
WATER RESOURCES

MAY 21 PM 3:00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 01-69, 01-70, 01-109B, 01-110B,
Case No. 39576) 01-111B, 01-112B, 01-113B, 01-115B, 01-
262, 01-309, 01-10156, 01-10157, 01-10158,
01-10159 and 01-10160
) (Harrison Canal & Irrigation Co.)
)
_____) SPECIAL MASTER REPORT

Findings of Fact

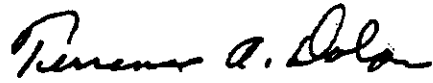
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area Basin 01, IDWR Part 2* on December 19, 2006. The Director recommended the claims to the Harrison Canal & Irrigation Company, Joel Brighton, President, 1074 East, 129 North, Idaho Falls, Idaho, 83401, for between .42 cfs and 240 cfs from the Snake River for stockwater (01-69) and to irrigate 12,364 acres within the area served by the Harrison Canal & Irrigation Company in Jefferson County from April 1 to October 31 with priority dates between June 11, 1880, and April 1, 1939, based on a decree and beneficial use.

On April 19, 2007, the United States of America, Department of Interior, Bureau of Reclamation filed *Objections* objecting to place of use. On April 28, 2008, the Harrison Canal & Irrigation Company and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to remove federal public land from the digital boundary.

Conclusions of Law

The Harrison Canal & Irrigation 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 01-69, 01-70, 01-109B, 01-110B, 01-111B, 01-112B, 01-113B, 01-115B, 01-262, 01-309, 01-10156, 01-10157, 01-10158, 01-10159 and 01-10160*.

DATED May 21, 2008.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a horizontal line underneath it.

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

2008 MAY 21 PM 3:00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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): 01-00069
(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 May 21, 2008, with sufficient first-class postage prepaid to the following:

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

CERTIFICATE OF MAILING

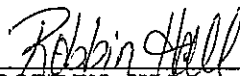
PAGE 1
05/21/08

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

HARRISON CANAL & IRRIGATION CO
JOEL BRIGHTON PRESIDENT
1074 E 129 N
IDAHO FALLS, ID 83401
Phone: 208-604-1074



ROBBIN HALL
Deputy Clerk

2008 MAY 21 PM 3:00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

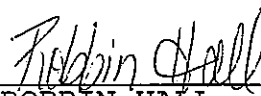
Water Right(s): 01-00069
(SEE ATTACHED EXHIBIT A)

On May 21, 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 May 21, 2008.

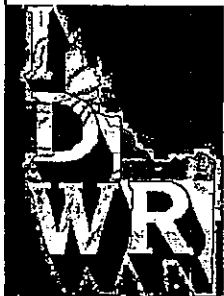


ROBBIN HALL
Deputy Clerk

Exhibit A

Subcase Nos:

01-00069
01-00070
01-00109B
01-00110B
01-00111B
01-00112B
01-00113B
01-00115B
01-00262
01-00309
01-10156
01-10157
01-10158
01-10159
01-10160



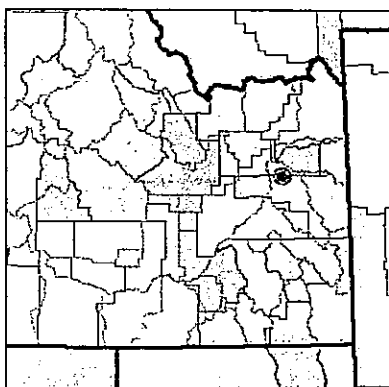
Harrison Canal & Irrigation Co

SRBA Recommendations: 1-69, 1-70, 1-109B, 1-110B, 1-111B, 1-112B, 1-113B, 1-115B, 1-262, 1-309, 1-10156, 1-10157, 1-10158, 1-10159, 1-10160

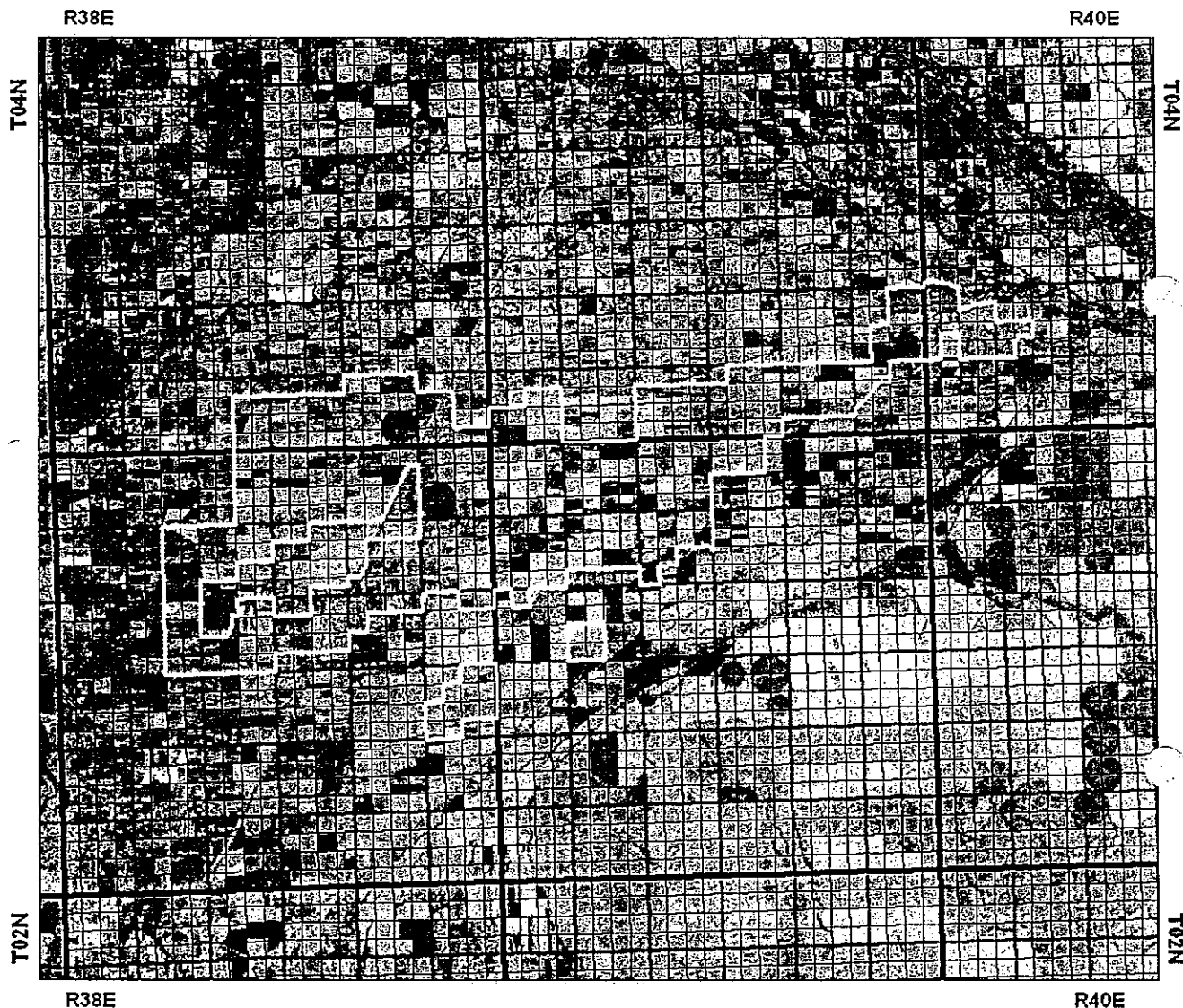
Service Area Boundary
GIS Place of Use Illustration

Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Bonneville, Jefferson Counties
IDWR Basin 1



0 5 10 Miles

Prepared by M. Holliday
On Thursday, December 14, 2006
2004 Aerial Photography