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DEPARTMENT OF
WATER RESOURCES

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and New York Irrigation District*

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

Basin-Wide Issue 17
Subcase No.: 00-91017

AFFIDAVIT OF SCOTT L. CAMPBELL

STATE OF IDAHO)
) ss.
County of Ada)

SCOTT L. CAMPBELL, having been duly sworn upon oath, deposes and states as follows:

1. I am a partner in the law firm of MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED ("Moffatt Thomas"), which firm represents the Pioneer Irrigation District ("Pioneer") and the Payette River Water Users Association ("PRWUA") in the above-captioned action. I am lead counsel for Pioneer and the PRWUA and have access to the clients' files in this matter. I make this Affidavit based upon my personal knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of the Idaho Department of Water Resources' ("Department") water right backfile for water right no. 63-303. The backfile is available on the Department's website at <http://www.idwr.idaho.gov>. The Bureau of Reclamation's SRBA claim for water right no. 63-303 does not use, or make reference to, the term "refill" or any related concept. Likewise, the Bureau of Reclamation's SRBA claim for companion water right no. 63-5262 does not use, or make reference to, the term "refill" or any related concept.

3. Attached hereto as Exhibit B is a true and correct copy the Motion to Consolidate and Memorandum in Support of Motion to Consolidate Common Issue in Subcases Listed in Attachment A, dated June 17, 2003, and filed with the SRBA Court regarding the Basin 63 Bureau of Reclamation storage water right subcases. This motion preceded the filing of the Notice of Clarification cited by the State of Idaho concerning the "refill" issue, and that is attached as Exhibit No. 24 to the Second Affidavit of Michael C. Orr, dated June 19, 2012.

4. Attached hereto as Exhibit C is a true and correct copy of the Court's Order Separating and Consolidating Common Issue From Subcases in "Exhibit A"; AO1 § 11 And 16, I.R.C.P. 42, filed June 23, 2003.

5. Attached hereto as Exhibit D are true and correct copies of the Basin 63 federal storage water right partial decrees.

6. Attached hereto as Exhibit E are true and correct copies of several of the larger (in excess of 100 acre-feet) Basin 65 storage water right partial decrees.

7. Attached hereto as Exhibit F is a true and correct copy of the Department's Director's Report recommendation disallowing storage claim nos. 63-5262, 63-5262A, 63-5262B, and 63-5262C, each of which was recommended "disallowed" because the same were combined and recommended as storage water right no. 63-303.

8. Attached hereto as Exhibit G are true and correct copies of exemplar Basin 63 partial decrees for natural flow water rights referencing flood control operations and shoulder season diversion subordination in favor of storage.

9. The State's reference to, and use of, the Notice of Clarification signed by Pioneer Irrigation District in the Consolidated Subcase No. 91-63 proceedings (which included Subcase No. 63-5262, among others) (*see, e.g.*, State of Idaho's Response to Motion for Leave to File Amicus Brief, dated June 19, 2012, p. 4; *see also*, Reply in Support of State of Idaho's Motion for Partial Summary Judgment, dated June 29, 2012, p. 53) mischaracterizes the record and the purpose of the document. Pioneer's declination to "re-open" the SRBA Court's disallowance of claim 63-5262 had nothing to do with the "refill" issue, nor could it because the underlying SRBA claim for water right no. 63-5262 did not raise the issue. Instead, Pioneer's participation in the Notice for Clarification was for the purpose of recognizing the fact that the Department (and, subsequently, the SRBA Court) combined claim nos. 63-303 and 63-5262, rendering claim no. 63-5262 unnecessary. Thus, Pioneer, among others, was clarifying that the disallowance of claim no. 63-5262 was acceptable, and that it would continue to prosecute its

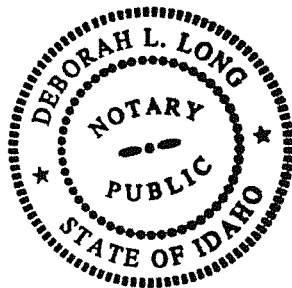
beneficial ownership claims in the remaining Basin 63 storage claim subcases in Consolidated
Subcase No. 91-63.

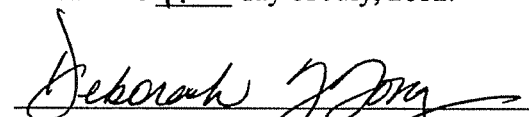
Further your affiant sayeth naught.



Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 11th day of July, 2012.





NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 10/10/2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of July, 2012, I caused a true and correct copy of the foregoing **AFFIDAVIT OF SCOTT L. CAMPBELL** to be served by the method indicated below, and addressed to the following:

Original to:

SNAKE RIVER BASIN ADJUDICATION
Clerk of the District Court
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 8

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P.O. Box 83720
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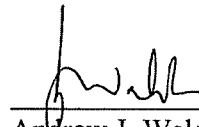
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SRBA Court's Expedited Mailing List Attached

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SRBA Court's Mailing List for Subcases
01-02064, et al. (American Falls Reservoir) and
01-02068, et al. (Palisades Reservoir)

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AMERICAN FALLS SPACEHOLDERS
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BONNEVILLE JEFFERSON GROUND
BONNEVILLE-JEFFERSON GROUND
JEFFERSON CLARK GROUND WATER
MADISON GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER
MAGIC VALLEY GROUND WATER DIST
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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT A
to
Affidavit of Scott L. Campbell

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-303

WATER RIGHT NUMBER: 63-303

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION PN-3100 1150 N CURTIS RD STE 100 BOISE, ID 83706-1234 (208)378-5306

Priority Date: 01/13/1911
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01	12/31		271,600.00 AF
IRRIGATION FROM STORAGE	03/15	11/15		271,600.00 AF
	<u>Total Diversion:</u>			271,600.00 AF

Location of Point(s) of Diversion

BOISE RIVER	L7 (NW1/4SE1/4)	Sec. 13, Twp 03N, Rge 04E, B.M.
BOISE County		
BOISE RIVER	L5 (SW1/4NE1/4)	Sec. 13, Twp 03N, Rge 04E, B.M.
BOISE County		

Place of Use

Conditions of Approval:

1. TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO ELEVATION 3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM
2. C18 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.
3. THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN ADA, CANYON, BOISE, ELMORE COUNTIES, IDAHO, AND MALHEUR COUNTY, OREGON (BIG BEND IRRIGATION DISTRICT).
4. 200 The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho Constitutional and Statutory Law, title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-303

Remarks:

Comments:

1. sbock 6/11/2002 changes

Comment: Changes made to recommendation based on june 10 02 memo in file.

2. jshurte 9/12/2002 Removal of Remark

Comment: Per the BOR the following remark was removed from this recommendation, "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard reservoirs are operated as one system in accordance with the Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794."

3. dshaff 7/3/2007 Ownership in Decree

Comment: Condition 200 created from the partial decree replaces Condition 173 that was in the recommendation.

SubCase:

SubCase Number: 63-303

Class: 2

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Jan Shurte

Basis of Claim: Decreed

Date Filed: 1/14/2003 Objection Status: Active

Date Filed: 1/30/2003 Objection Status: Active

Date Filed: 1/30/2003 Objection Status: Active

Date Filed: 1/31/2003 Objection Status: Active

Date Filed: 1/31/2003 Objection Status: Active

Water Supply Bank:

RECEIVED

APR - 2 2003

Department of Water Resources

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. 35976

A. Subcase No. 63-303

STANDARD FORM 2

RESPONSE TO
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Committee of Nine acting on its own behalf and on behalf of and for the following individual entities:

Twin Falls Canal Company, North Side Canal Company, A & B Irrigation District, Burley Irrigation District, Falls Irrigation District, Aberdeen-Springfield Canal Company, Fremont-Madison Irrigation District, Peoples Canal & Irrigation, Snake River Valley Irrigation, Idaho Irrigation District, Egin Bench Canals, Inc., North Fremont Canal Systems, Inc., Progressive Irrigation District, Enterprise Irrigation District, New Sweden Irrigation District, Harrison Canal & Irrigation Co., Burgess Canal & Irrigation

Address: 900 N. Skyline
Idaho Falls, Idaho 83402

Daytime Phone: (208) 525-7171

Name & Address of Attorney, if any:

JOHN K. SIMPSON
BARKER ROSHOLT & SIMPSON LLP
205 North 10th Street, Suite 520
P.O. BOX 2139
BOISE, IDAHO 83701-2139

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Albert Barker
Attorney for Boise Project Board of Control
Address: Barker Rosholt & Simpson
P.O. Box 2139
Boise, Idaho 83701-2139

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- 1. ☒ Name and Address:
- 2. ☐ Source:
- 3. ☐ Quantity:
- 4. ☐ Priority Date:
- 5. ☒ Point(s) of Diversion:
- 6. ☐ Instream Flow Description:
- 7. ☐ Purpose(s) of Use:
- 8. ☐ Period of Year:
- 9. ☒ Place of Use:

11. Recommendation:

- ☐ This water right should not exist.
- ☐ This water right not being recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING RESPONSES: The respondents herein support the position asserted by the objector in that the Director's Report recommendation does not adequately recognize the ownership interest the beneficial users have in this water right.

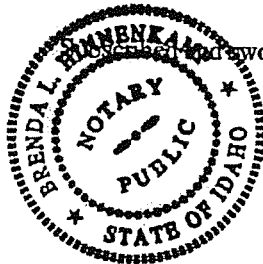
F. VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of Ada)

John K. Simpson, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)



(Attorney signing in representative capacity)

sworn to before me on: April 1, 2003.

Brenda L. Hunnerkamp
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My commission expires: 9/2004

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I hereby certify that on the 1 day of April, 2003, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: United States of America acting through
Regional Director PN Region
Bureau of Reclamation
Address: 1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234
3. One copy to the party who filed the objection at the following address:
Name: Albert Barker
Attorney for Boise Project Board of Control
Address: 205 North 10th Street, Ste 520
Boise, Idaho 83701
4. Copies to:
IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449

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



RECEIVED

FEB 4 - 2003

Department of Water Resources

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

A. Subcase 63-303
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation Attn: 3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E. Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303) 312-7352
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N945
Denver CO, 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation Attn: 3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: Place of Use should also include Payette County.

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S)

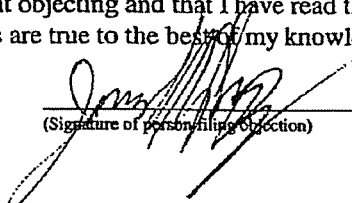
Place of use should also include Payette County. Contractors with the Bureau of Reclamation who rely on water within the Boise Federal Reclamation Project also are within Payette County.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

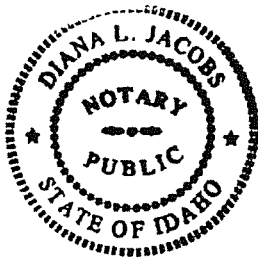
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Diana L. Jacobs
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 5-23-06

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on Jan 31, 2003, I mailed the original and copies of this objection, 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
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

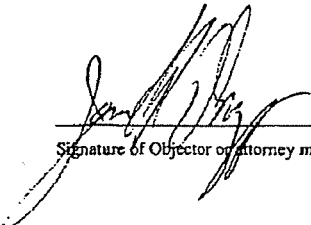
Name: United States of America acting through the Department of Interior,
Bureau of Reclamation Attn: 3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

Page 1

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: The equitable title of the beneficial users, the landowners represented by the New York Irrigation District, Nampa & Meridian Irrigation District, Wilder Irrigation District, Boise-Kuna Irrigation District, and Big Bend Irrigation District should also be recognized.
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: Specifically reference the diversion systems of the Irrigation districts
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: Specific to the lands within the New York, Nampa & Meridian, Wilder, Boise-Kuna and Big Bend Irrigation Districts
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. **REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation does not recognize the beneficial users of this water right as specified in the contracts between the objectors and claimant.

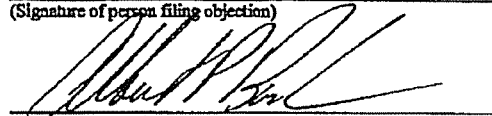
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

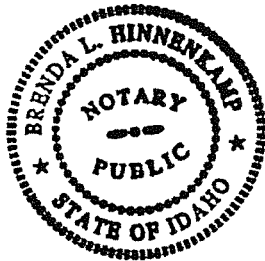
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

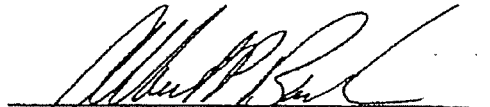
Name: United States of America acting through
Regional Director of PN Region
Bureau of Reclamation
Address: 1150 N. Curtis Road, Suite 100
Boise, Idaho 83706-1234

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

RECEIVED

JAN 31 2003

Department of Water Resources

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

A Subcase 63-00303
(Insert water right number)

STANDARD FORM 1
OBJECTION

AMENDED

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, ID 83606
Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann
Moffatt Thomas Barrett Rock & Fields Chtd.
P.O. Box 829, Boise, ID 83701-0829

C CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, ID 83606

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: See Attachment A
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

D **REASONS SUPPORTING OBJECTION(S):** See Attachment A



VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

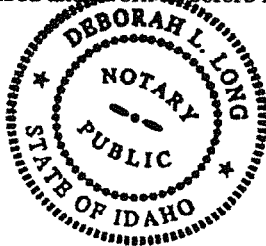
Angela Schaer Kaufmann, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaer Kaufmann
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Deborah Long
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/10/07

INSTRUCTIONS FOR MAILING

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



CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

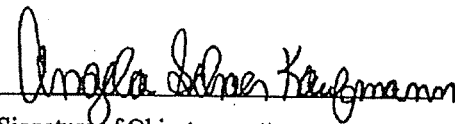
Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, ID 83606

3. 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


Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A
63-00303

Pioneer Irrigation District ("Pioneer") has a contract with the Bureau of Reclamation for irrigation storage water from Arrowrock Reservoir. Pioneer has a right to use 21018 acre feet of water from Arrowrock Reservoir to irrigate 35350.5 acres owned by landholders within Pioneer's service area. The Idaho Department of Water Resources has recommended that Pioneer's water right claim for that amount of water, 63-05262A, be disallowed.

Pioneer has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-303, because the Idaho Department of Water Resources has indicated that claim number 63-5262A has been recommended as 63-303. Pioneer asserts an ownership interest in 63-0303 to the extent that water right, as recommended, includes 63-5262A. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Pioneer asserts a beneficial ownership interest, with the United States holding only nominal legal title.

In order to properly define and administer this right, there must be, at a minimum, a remark which provides that any storage change to any element of this right be undertaken in accordance with the transfer proceedings of Idaho law, with the permission of Pioneer Irrigation District as to its portion of the water right, and that any uncontracted space be made available for irrigation use.

RECEIVED

JAN 30 2003

Department of Water Resources

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

Subcase No. 63-303

Case No. 39576

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: Farmers Cooperative Ditch Company
Address: P.O. Box 420
Parma, ID 83660
Daytime Phone: (208) 722-7330

Name & Address of Attorney:

Daniel V. Steenson
S. Bryce Farris
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83701
(208) 342-4591

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: United States of America Acting Through
Regional Director PN Region
Bureau of Reclamation
Address: 1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234

COPY

I object to the following elements as recommended in the Director's Report.

1. X Name and Address
Should be: See Attachment A.
2. Source
Should be:
3. X Quantity
Should be: See Attachment A.
4. Priority Date
Should be:
5. Point(s) of Diversion
Should be:
6. Instream Flow Description
Should be:
7. X Purpose(s) of Use
Should be: See Attachment A.
8. Period of Year
Should be:
9. X Place of Use
Should be: See Attachment A.
10. I object because:

This water right should not exist.

This water right was not recommended, but should be recommended with the elements as described above.

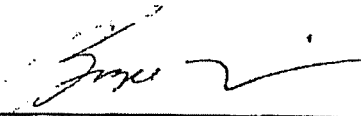
REASONS SUPPORTING OBJECTION(S):
See Attachment A.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

S. Bryce Ferris, duly sworn, upon oath, deposes and says:

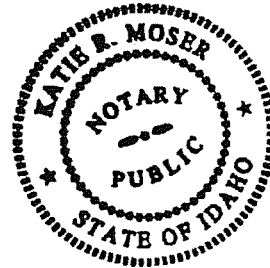
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Attorney signing in representative capacity)

Subscribed and sworn to before me
on: 1/29/03

Katie R. Moser
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 2/20/08



CERTIFICATE OF MAILING

I certify that on January 29th, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the Claimant of the water right at the following address:

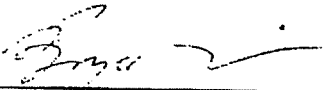
United States of America Acting Through
Regional Director PN Region
Bureau of Reclamation
1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234

3. 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



Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A

63-303

1. Ownership, Quantity, Place of Use. The Idaho Department of Water Resources (IDWR) has recommended this right in the name of the United States Department of Interior, Bureau of Reclamation (Reclamation). However, Farmers Cooperative Ditch Company (Farmers) is the owner of 1,227 acre feet of this water right based upon the fact that this portion of the right was perfected by beneficial use on lands within Farmers' boundaries, and is therefore appurtenant to those lands. Farmers' position is in accordance with Idaho Law, the Reclamation Act of 1902, 43 U.S.C. § 372, and is supported by case law holding that a water right developed under the Reclamation Act is appurtenant to the land, and the landowners are the owners of the water right. *Ickes v. Fox*, 300 U.S. 82 (1937). Consistent with these authorities, Farmers has filed SRBA Claim no. 63-303A, seeking a decree of 1,227 acre feet of this water right in Farmers' name, appurtenant to lands within Farmers' boundaries. Issuance of such a decree to Farmers will require that 1,227 acre feet not be included in the decree for Water Right Number 63-303.

In the alternative, at a minimum under these authorities, Farmers is the beneficial owner of the water right and Reclamation holds only nominal legal title. If the court decrees the water right to Reclamation in this manner the decree must state that Reclamation holds legal title in name only, and Farmers is the beneficial owner of 1,227 acre feet, appurtenant to lands within Farmers' boundaries.

2. Purpose of Use. In order to properly define and administer this water right, there must be: a remark which provides that any change to the elements of this water right requires a transfer pursuant to Idaho law; a remark which requires Farmers' approval of any change to Farmers' portion of this right (1,227 acre feet); and a remark which requires that uncontracted space be made available for irrigation use.

RECEIVED

JAN 30 2003

Department of Water Resources

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

Subcase No. 63-303

Case No. 39576

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: Nampa & Meridian Irrigation District
Address: 1503 First Street South
Nampa, ID 83651
Daytime Phone: (208) 466-7861

Name & Address of Attorney:

Daniel V. Steenson
S. Bryce Farris
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83701
(208) 342-4591

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: United States of America Acting Through
Regional Director PN Region
Bureau of Reclamation
Address: 1150 N. Curtis Rd., Suite 100
Boise, ID 83708-1234

COPY

VERIFICATION

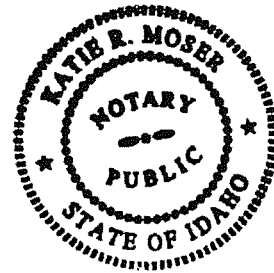
State of Idaho)
) ss.
County of Ada)

S. Bryce Farries, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me
on: 1/29/03



Katie R. Moser
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 2/20/08

CERTIFICATE OF MAILING

I certify that on January 29th, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the Claimant of the water right at the following address:

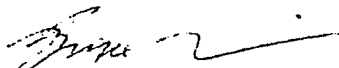
United States of America Acting Through
Regional Director PN Region
Bureau of Reclamation
1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234

3. 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



Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A
63-303

1. Ownership, Quantity, Place of Use. The Idaho Department of Water Resources (IDWR) has recommended this right in the name of the United States Department of Interior, Bureau of Reclamation (Reclamation). However, Nampa & Meridian Irrigation District (NMID) is the owner of 65,461 acre feet of this water right based upon the fact that this portion of the right was perfected by beneficial use on lands within NMID's boundaries, and is therefore appurtenant to those lands. NMID's position is in accordance with Idaho Law, the Reclamation Act of 1902, 43 U.S.C. § 372, and is supported by case law holding that a water right developed under the Reclamation Act is appurtenant to the land, and the landowners are the owners of the water right. *Ickes v. Fox*, 300 U.S. 82 (1937). Consistent with these authorities, NMID has filed SRBA Claim no. 63-5262C, seeking a decree of 65,461 acre feet of this water right in NMID's name, appurtenant to lands within NMID's boundaries. Issuance of such a decree to NMID will require that 65,461 acre feet not be included in the decree for Water Right Number 63-303.

In the alternative, at a minimum under these authorities, NMID is the beneficial owner of the water right and Reclamation holds only nominal legal title. If the court decrees the water right to Reclamation in this manner the decree must state that Reclamation holds legal title in name only, and NMID is the beneficial owner of 65,461 acre feet, appurtenant to lands within NMID's boundaries.

2. Purpose of Use. In order to properly define and administer this water right, there must be: a remark which provides that any change to the elements of this water right requires a transfer pursuant to Idaho law; a remark which requires NMID's approval of any change to NMID's portion of this right (65,461 acre feet); and a remark which requires that uncontracted space be made available for irrigation use.

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Morgan W. Richards
Mark A. Ellison
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas

Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Michael G. McPeck
Kirk R. Helvie
Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin

C. Clayton Gill
David P. Gardner
Casey C. Robertson
Julian B. Gabiola
Angela Schaer Kaufmann
Benjamin H. Schwartz
Bradley J. Dixon
Kessa L. Hollister
Mark C. Peterson
Andrew J. Waldera
Shawn C. Nunley
Willis C. Moffatt,
1907-1980

RECEIVED

JAN 14 2003

Department of Water Resources

January 13, 2003

Boise
Idaho Falls
Pocatello

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Clerk of the Court
SRBA District Court
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Basin 63 Objections
MTBR&F File No. 18946.26

Dear Court Clerk:

Please find enclosed an original and one copy of the Standard Form 1 Objections on behalf of the following Irrigation Districts and subcase numbers.

Pioneer Irrigation District

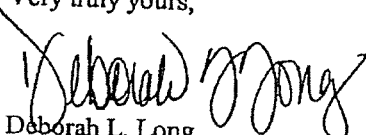
63-00303
63-03614
63-03614A
63-03618
63-03618A
63-05262A

Settlers Irrigation District

63-00303
63-03614
63-03614B
63-03618
63-03618B
63-05262B

Please conform and return one copy of each in the envelope provided. Thank you for your attention.

Very truly yours,


Deborah L. Long
Administrative Assistant to Scott L. Campbell
and Angela Schaer Kaufmann
SLC/ASK/dll
Enclosures

BOI_MT1:428191.1

RECEIVED

JAN 14 2003

Department of Water Resources

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

A. Subcase 63-00303

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields, Chtd

P.O. Box 829, Boise, ID 83701-0829

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See Attachment A

F.

VERIFICATION (Must be Completed)

State of Idaho)

County of Ada) ss.

Angela Schaefer Kaufmann, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaefer Kaufmann
(Attorney signing in representative capacity)

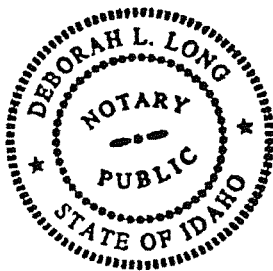
Subscribed and sworn to before me on:

January 13, 2003

Deborah L. Long
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 10/10/07



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

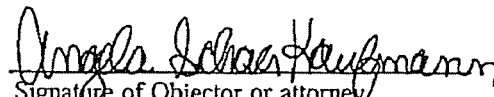
Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, ID 83606

3. 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


Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A
63-303

Pioneer Irrigation District ("Pioneer") has a contract with the Bureau of Reclamation for irrigation storage water from Arrowrock Reservoir. Pioneer has a right to use 21018 acre feet of water from Arrowrock Reservoir to irrigate 35350.5 acres owned by landholders within Pioneer's service area. The Idaho Department of Water Resources has recommended that Pioneer's water right claim for that amount of water, 63-05262A, be disallowed.

Pioneer has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-303, because the Idaho Department of Water Resources has indicated that claim number 63-5262A has been recommended as 63-303. Pioneer asserts an ownership interest in 63-0303 to the extent that water right, as recommended, includes 63-5262A. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Pioneer asserts a beneficial ownership interest.

RECEIVED

JAN 31 2003

Department of Water Resources

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

Subcase 63-00303
(Insert water right number)

STANDARD FORM 1
OBJECTION

AMENDED

Please fill in the following information:



NAME AND ADDRESS OF PERSON OBJECTING

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

Daytime Phone: 208-344-2471

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields Chtd.

P.O. Box 829, Boise, ID 83701-0829



CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Settler Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: See Attachment A
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

D **REASONS SUPPORTING OBJECTION(S):** See Attachment A



VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

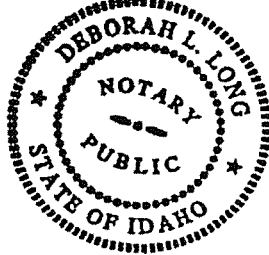
Angela Schaer Kaufmann, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaer Kaufmann
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Deborah L. Long
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/10/07

INSTRUCTIONS FOR MAILING

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



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253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Settlers Irrigation District
Address: P.O. Box 7571
Boise, ID 83707

3. 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

Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A
63-00303

Settlers Irrigation District ("Settlers") has a contract with the Bureau of Reclamation for irrigation storage water from Arrowrock Reservoir. Settlers has a right to use 1778 acre feet of water from Arrowrock Reservoir to irrigate 12,322 acres owned by landholders within Settlers's service area. The Idaho Department of Water Resources has recommended that Settlers' water right claim for that amount of water, 63-5262B, be disallowed.

Settlers has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-303, because the Idaho Department of Water Resources has indicated that claim number 63-5262B has been recommended as 63-303. Settlers asserts an ownership interest in 63-0303 to the extent that water right, as recommended, includes 63-5262B. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Settlers asserts a beneficial ownership interest, with the United States holding only nominal legal title.

In order to properly define and administer this right, there must be, at a minimum, a remark which provides that any storage change to any element of this right be undertaken in accordance with the transfer proceedings of Idaho law, with the permission of Settlers Irrigation District as to its portion of the water right, and that any uncontracted space be made available for irrigation use.

RECEIVED

JAN 14 2003

Department of Water Resources

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

A. Subcase 63-00303

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

Daytime Phone: 208-344-2471

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields, Chtd

P.O. Box 829, Boise, ID 83701-0829

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See Attachment A
2. ☐ **Source**
Should be: _____
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Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A

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- ☐ This water right was not recommended, but should be recommended with the elements described above.

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F. VERIFICATION (Must be Completed)

State of Idaho)

County of Ada) ss.

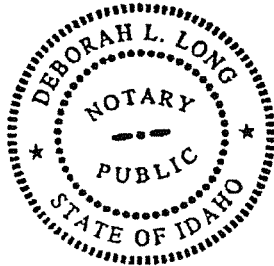
Angela Scher Kaufmann duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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(Signature of person filing objection)

Angela Scher Kaufmann
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 13, 2003



Deborah Long
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 10/10/07

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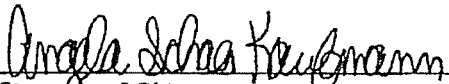
Name: Settlers Irrigation District
Address: P.O. Box 7571
Boise, ID 83707

3. 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


Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT A
63-303

Settlers Irrigation District ("Settlers") has a contract with the Bureau of Reclamation for irrigation storage water from Arrowrock Reservoir. Settlers has a right to use 1778 acre feet of water from Arrowrock Reservoir to irrigate 12,322 acres owned by landholders within Settlers's service area. The Idaho Department of Water Resources has recommended that Settlers' water right claim for that amount of water, 63-5262B, be disallowed.

Settlers has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-303, because the Idaho Department of Water Resources has indicated that claim number 63-5262B has been recommended as 63-303. Settlers asserts an ownership interest in 63-0303 to the extent that water right, as recommended, includes 63-5262B. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Settlers asserts a beneficial ownership interest.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-303 V1

WATER RIGHT NUMBER: 63-303 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE, ID 83708-1234 (208)378-5322

Priority Date: 01/13/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31			271,600.00 AF
IRRIGATION FROM STORAGE	03/15 to 11/15			271,600.00 AF
	<u>Total Diversion:</u>			271,600.00 AF

Location of Point(s) of Diversion

BOISE RIVER	L7 NW1/4SE1/4	Sec. 13, Twp 03N, Rge 04E, B.M.
BOISE County		
BOISE RIVER	L5 SW1/4NE1/4	Sec. 13, Twp 03N, Rge 04E, B.M.
BOISE County		

Place of UseConditions of Approval:

1. C18 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.

Remarks:

1. Quantity TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO ELEVATION 3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM
2. Place of Use - Irrigation THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN ADA, CANYON, BOISE, EL MORE COUNTIES, IDAHO, AND MAL HEUR COUNTY, OREGON (BIG BEND IRRIGATION DISTRICT).

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-303 V1

Comments:

1. sbock 6/11/2002 changes

Comment: Changes made to recommendation based on june 10 02 memo in file.

2. jshurte 9/12/2002 Removal of Remark

Comment: Per the BOR the following remark was removed from this recommendation: "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard reservoirs are operated as one system in accordance with the Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794."

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: OR

Water District Number: 63

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

08/12/2002

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

RIGHT NUMBER: 63-303

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 271,600.0 AFY
TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO ELEVATION
3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM

PRIORITY DATE: 01/13/1911

POINT OF DIVERSION:
T03N R04E S13 SWNE Lot 5 Within BOISE County
T03N R04E S13 NWSE Lot 7 Within BOISE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	271,600.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	271,600.00 AFY

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN
ADA, CANYON, BOISE, ELMORE COUNTIES, IDAHO, AND MALHEUR COUNTY,
OREGON (BIG BEND IRRIGATION DISTRICT).

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

ARROWROCK, ANDERSON, LUCKY PEAK, LAKE LOWELL AND HUBBARD
RESERVOIRS ARE OPERATED AS ONE SYSTEM IN ACCORDANCE WITH
FEDERAL RECLAMATION ACT OF AUGUST 24, 1954, CH. 909, 58 STAT.
794.

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: Decreed

06/11/2002

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

RIGHT NUMBER: 63-303

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 271,600.0 AFY
TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO ELEVATION
3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM

PRIORITY DATE: 01/13/1911

POINT OF DIVERSION:
T03N R04E S13 SWNE Lot 5 Within BOISE County
T03N R04E S13 NWSE Lot 7 Within BOISE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	271,600.00 AFY
IRRIGATION FROM STORAGE	03/01 11/15	271,600.00 AFY

PLACE OF USE:

3-15 to 11-15

THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN
ADA, CANYON, BOISE, ELMORE COUNTIES, IDAHO, AND MALHEUR COUNTY,
OREGON (BIG BEND IRRIGATION DISTRICT).

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

ARROWROCK, ANDERSON, LUCKY PEAK, LAKE LOWELL AND HUBBARD
RESERVOIRS ARE OPERATED AS ONE SYSTEM IN ACCORDANCE WITH
FEDERAL RECLAMATION ACT OF AUGUST 24, 1954, CH. 909, 58 STAT.
794.

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: Decreed

Date: 6-10-02

To: Sue Bock for Mel Schulte

From: Jan Shurte

Subject: Claim No. 63-303, 63-3613 & 63-5262 Arrowrock Reservoir Notice of Error meeting with the BOR

Per meeting with BOR on May 20th – Dave Tuthill & Jan Shurte

63-303 – Arrowrock Reservoir
Item No. 2

A – Ok to change zipcode.

B - Ok to leave as acre foot amount. BOR wanted us to talk with Lee Sisco and see if changing from 8,000 cfs to 271,600 AFY made any difference and he said no. BOR had no problem with the AFY amount rather than the cfs amount either.
AFY OK.

C – Change to "The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, Boise, Elmore Counties, Idaho, and Malheur County, Oregon (Big Bend Irrigation District)".

D – Add general remark "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard reservoirs are operated as one system in accordance with Federal Reclamation Act of August 24, 1954, ch. 909, 58 Stat. 794."

E – This remark should not be included. This remark is included in the Distribution decree from the Boise River decree. However, BOR agreed that if we kept the 271,600 AFY amount rather than the 8,000 cfs amount this remark should be omitted. Do not include at this time.

Water Right No. 63-3613 – Arrowrock Reservoir

A – Ok to change zipcode.

B – Ok to change quantity remark as shown on NOE.

C – Change to "The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, Boise and Elmore Counties, Idaho and Malheur County, Oregon (Big Bend Irrigation District)."

D – Ok to reduce to 3-15 to 11-15.

7

E – Add General Remark "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard reservoirs are operated as one system in accordance with the Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794."

Water Right No. 63-5262 – Disallowed Arrowrock Res right

Ok to leave as disallowed and recommended as 63-303. This was originally filed as the storage right for Arrowrock. However, when 63-303 was changed from 8,000 cfs to 271,600 af this right was no longer needed. The bank storage portion of it the BOR are willing to let go also.

Notice of Error Mtg – 4-29-02

63-3614 – Anderson Ranch

A, B, C – ok to change

D – Jan & Dave will discuss with BOR in meeting on 5-20-02 - ? on how water gets to Payette & Gem County (BCID?) and Big Bend – New York Canal – Lake Lowell?

E – Same as above – subordination clause – difficult not to include.

Remark – concerning all reservoirs operating as one can be in explanatory remarks.

63-3618 – Lucky Peak

A – ok

B – Dave will talk with allocations about adding to license.

C – Dave will talk with allocations concerning amendment approved 1990 to change to streamflow maintenance – is it because database has no streamflow maintenance use code? Try to talk with them about making a use code. This one will be ok.

D - Same as 63-3614.

2nd half of D – Covered in licensing remarks concerning location of streamflow maintenance.

E – Ok as an explanatory remark.

F – Not ok to add – Purpose of Use – Recreation storage is not meant for irrigation of state parks in and around Lucky Peak.

63-303 – Arrowrock Reservoir - 271,600 af - 1911

A – ok

B – Need to discuss with Lee Sisco in May 8th meeting. Is 8,000 cfs necessary on claim for delivery of the right.

C – Will talk with BOR in meeting on 5-20.

D – Explanatory Remark – ok

E – Need to discuss the 8,000 cfs delivery with Lee and then look at this remark from the Bryan decree – distribution remark.

63-3613 – Arrowrock Reservoir – 15,000 af – 1938

A & B – Ok

C – Will discuss at 5-20 meeting with BOR

D – Ok to change season of use shorter – 3-15 to 11-15

E – Ok as explanatory remark

63-5262 – 286,600 af – 1911 – Disallowed and recommended as 63-303

If 63-303 is determined to be recommended back to the 8,000 cfs, then this right can be recommended to cover the af amount for storage.

If it is recommended then:

A & B – Ok

C – Will talk about at 5-20 BOR meeting

D – Ok for explanatory remark.

NOTICE OF ERROR
REPLY

RECEIVED
APR 05 2002
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5 2002

Water right number: 63-303

UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234
Telephone Number: (208) 378-5306

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

A) Name and Address, B) Quantity, C) Place of Use, D) Other provisions necessary for definition or administration of this water right, and E) Explanatory Material

2. Describe the changes you wish to make in the proposed recommendation:

- A) Zip code should be 83706-1234.
B) Quantity should be 8,000 cfs.
C) Place of Use remark should be changed to "The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, ~~Payette~~, ^{Blaine} ~~Gen~~ Counties, Idaho, and Malheur County, Oregon (Big Bend Irrigation District)."
D) Remark should be added which reads "Arrowrock, Anderson, and Lucky Peak ^{reservoirs} are operated as one system in accordance with the Act of August 24, 1954, ch. 909, 68 Stat. 794."
E) The following remark should be added providing for the Order for Distribution of Waters of Boise River established in the Bryan Decree: "The USA 8000 second feet with priority date of January 13, 1911 not be subject to cut until the flow of the Boise River is insufficient to supply the said right, and all rights prior thereto, and that after the flow of Boise River becomes insufficient to supply the said right, and all rights prior thereto, then the said Arrowrock right shall be cut in its entirety before any right prior thereto shall be cut."

3. Give a brief explanation as to why you disagree with these portions:

- A) Zip code is wrong
B) Bryan Decreed amount is 8,000 cfs. The Director's recommendation should be consistent with the Bryan Decree. The United States has filed a constitutional claim for its historic storage in the reservoir under water right no. 63-5262.
C) Federal project water from this reservoir is also used on lands within the Payette Division of the Boise Federal Reclamation Project, pursuant to the Act of August 24, 1954, ch. 909, 68 Stat. 794.
D) Arrowrock, Anderson, and Lucky Peak are operated as one system as authorized by federal law, as recognized by contracts with spaceholders in the reservoirs, and as administered by the Idaho State Watermaster for Water District 63.
E) This language from the Bryan Decree is necessary to administer the 8,000 cfs decreed water right.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-5-02

SIGNATURE: E. Gail McGarry

Please print your name: E. Gail McGarry, Program Manager,
Water Rights & Acquisitions

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

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

02/28/2002

RIGHT NUMBER: 63-303

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 837065155

SOURCE: BOISE RIVER

QUANTITY: 271,600.0 AFY

TRIBUTARY: SNAKE RIVER

TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO ELEVATION
3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM

PRIORITY DATE: 01/13/1911

POINT OF DIVERSION:

T03N R04E S13 SWNE Lot 5 Within BOISE County

T03N R04E S13 NWSE Lot 7 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	271,600.00 AFY
IRRIGATION FROM STORAGE	03/01 11/15	271,600.00 AFY

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE SERVICE AREA OF ARROWROCK DIVISION OF
THE BOISE FEDERAL RECLAMATION PROJECT WITHIN ADA AND CANYON
COUNTIES.

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: Decreed

THIS RIGHT HAS BEEN CONVERTED FROM AN 8000 CFS FLOW RIGHT TO A
271600 AF STORAGE RIGHT TO REFLECT THE HISTORICAL NATURE OF
THE ARROWROCK DAM AND RESERVOIR FACILITY.

Schulte, Mel

From: Tuthill, Dave
Sent: Wednesday, February 27, 2002 5:39 PM
To: Spencer, Nick
Cc: Hamlin Nygard, Susan; Schulte, Mel; Shaff, Don; Shurte, Jan
Subject: RE: Arrowrock Reservoir water right

Nick,

Rather than to come and talk with you about this, I will reply by email so that we can include all in the loop.

Since you have raised several good questions, I will address each in turn.

1. How do we know that this instantaneous flow rate, with a relatively junior priority date, when delivered in priority, will produce a volumetric quantity precisely sufficient to fill the reservoir to its original capacity one time per season?

The flow rate of 8,000 cfs includes contributions from the North, South and Middle Forks of the Boise River. To place this flow in perspective, consider that the 100 year flood flow of the Boise River through Boise is about 16,700 cfs. This flow includes all of the outflow from Arrowrock, plus Mores Creek. The normal high flow of the Boise River through town is about 6,500 cfs. My guess is that the 8,000 cfs was computed at the time the reservoir was designed as the average annual high flow in the unregulated river.

Whether the water right is shown as a flow rate or as a storage volume does not make a difference from my perspective, relative to delivery and protection of senior rights. Regardless of the rate of flow at which water is stored, if a 1911 water right is on, storage can occur (at 8,000 cfs the reservoir would fill in less than 3 weeks). If the water is needed to fill pre-1911 water rights, the storage is off.

Regarding the fills per season, we have used the policy throughout the state for these large reservoirs that they get one fill under their priority -- more can be stored if water is available to fill all priorities. This prevents a senior reservoir from continuing to fill and release all season long.

2. Or in fact do we know if this flow rate typically produces less than that quantity, or typically produces enough to fill the reservoir more than once? It seems to me that the total deliverable volume of this right would have to fluctuate from year to year depending on the weather.

Because this is the senior storage right on a basin that produces about 2,000,000 af each year (on average), most of which (all but Mores Creek) flows through the reservoir, Arrowrock can be expected to fill most (if not all) years. The limitation on this storage -- the true measure of the right-- is the storage volume, not the rate of flow.

3. While it is indeed odd to have a storage right without a volumetric limitation on it, we have one here that has been decreed for 70 years; can we convert the instantaneous diversion rate into a volumetric quantity without either enlarging or shrinking its historical quantity?

Back when this water right was first recorded, IDWR's predecessor agency routinely recorded storage water rights with flow rates -- they really did not have a good mechanism for showing diversions volumetrically. I see this conversion as merely updating the way that we describe the right -- the right is not really changing. Don says that we used this same technique on Mackay Reservoir in the Big Lost. (As I recall, Carter has also mentioned this).

Do these responses help?

Dave

286,600 AF @ 8000 cfs = 18.06 days
271,600 AF @ 8000 cfs = 17.12

-----Original Message-----

From: Spencer, Nick
Sent: Wednesday, February 27, 2002 9:59 AM
To: Tuthill, Dave
Cc: Hamlin Nygard, Susan; Schulte, Mel; Shaff, Don; Shurte, Jan
Subject: RE: Arrowrock Reservoir water right

Dave, my initial concern may be based on no more than my lack of knowledge of the operation of the Boise system and typical flows on the Middle Fork and South Fork above Arrowrock. But my concern is this: how do we know that

this instantaneous flow rate, with a relatively junior priority date, when delivered in priority, will produce a volumetric quantity precisely sufficient to fill the reservoir to it's original capacity one time per season? Or in fact do we know if this flow rate typically produces less than that quantity, or typically produces enough to fill the reservoir more than once? It seems to me that the total deliverable volume of this right would have to fluctuate from year to year depending on the weather. While it is indeed odd to have a storage right without a volumetric limitation on it, we have one here that has been decreed for 70 years; can we convert the instantaneous diversion rate into a volumetric quantity without either enlarging or shrinking its historical quantity? NBS

-----Original Message-----

From: Tuthill, Dave
Sent: Wednesday, February 27, 2002 8:48 AM
To: Shurte, Jan; Spencer, Nick; Shaff, Don; Hamlin Nygard, Susan; Schulte, Mel
Subject: RE: Arrowrock Reservoir water right

Jan and others,

I am thinking that perhaps now is the time to *convert* the 8000 cfs water right in Arrowrock to a volume amount. The priority language in the decree amounts to nothing different from simply a 1/13/1911 priority water right. How would the recipients of this email feel about our converting the 8000 cfs to the volume of storage built at that time? We should discuss this with our contact at BOR -- Gail McGarry, Manager of Water Rights and Aquisitions, ~~878-5896~~ 378-5306. I called and spoke to Mel briefly about this -- he is planning to call Gail and investigate. We could show in explanatory provisions the genesis of the conversion, but this provides an opportunity to clear up this issue (which has always been a lingering question). Any concerns about this perspective?

Dave

-----Original Message-----

From: Shurte, Jan
Sent: Tuesday, February 26, 2002 5:46 PM
To: Spencer, Nick; Tuthill, Dave; Shaff, Don; Hamlin Nygard, Susan
Cc: Shurte, Jan
Subject: Arrowrock Reservoir water right

In looking through the Boise River decree I did find a water right for Arrowrock. It is 63-303 and it is for 8000 cfs (no af amount) for use on lands in the Boise Valley. It is the only water right with a diversion point above the New York canal. I don't know if this makes a difference in all of our research, however, I had said I didn't believe there were any above the diversion dam and had to let you know I was wrong. Nick mentioned Arrowrock and I thought ah-oh. If you look at 63-F and in the Judge Sutton decree dated 1-30-1932 the Arrowrock right also states, "8000 second feet, with date of priority January 13, 1911, for storage in Arrow Rock Reservoir, provided that the Arrow Rock reservoir right of the United States under date of priority of January 13, 1911, shall not be subject to cut until the flow of Boise River is insufficient to supply the said right and all rights prior thereto, and that after the flow of the Boise River becomes insufficient to supply the said right, and all rights prior thereto, then the said Arrow Rock right shall be cut in its entirety before any right prior thereto shall be cut". This received the 63-303 number in the decree, but it is based on an old license 63-2158 that was superceded by the decree. Whether all of this makes a difference or not, I don't know. Just thought I'd clarify it. Thanks for working through all of this!

Jan

SRA-6434
WTR-4.10

Mr. David Tuthill, Chief
Adjudication Bureau
Idaho Department of Water Resources
1301 N. Orchard
Boise ID 83706

Dear Mr. Tuthill:

Subject: Snake River Basin Adjudication Basin 63 - Bank Storage Claim Nos. A63-05264
Lake Lowell, A63-05263 Lucky Peak Reservoir, A63-05261 Anderson Ranch Reservoir,
and Arrowrock Reservoir Storage Claim No. A63-05262

The subject claims were filed to memorialize historic operations and physical conditions existing at Lake Lowell, Lucky Peak Reservoir, Anderson Ranch Reservoir, and Arrowrock Reservoir. These bank storage claims and bank storage component included in the Arrowrock Reservoir storage claim are based on the fact that as the reservoir fills, water is stored in or saturates the banks surrounding the reservoir. Although this water is necessary to fill the reservoir, it does not actually go into the reservoir except for some percentage that drains back when the reservoir is drawn down. As a result, the amount of water actually necessary to fill the reservoir is greater than the capacity of the reservoir. We filed for bank storage claims based upon water right License No. R-269 that awarded the same for Reclamation's storage water at American Falls Reservoir.

However, as we discussed at our meeting, if we can accomplish the same result through a remark that allows us to calculate the fill at the face of the dam as has been the historic operating practice, we are willing to withdraw our bank storage claims. Therefore, to administer Bureau of Reclamation reservoirs in accordance with such historic practice, a remark would be necessary in the SRBA decree to reflect what the practice has been. The following language, in our opinion, captures and preserves the operational flux described above:

TOTAL RESERVOIR CAPACITY IS _____ ACREFEET WHEN FILLED TO
ELEVATION ____.' AND MEASURED AT THE UPSTREAM FACE OF THE DAM.

We request that you consider this language for inclusion as a remark on the Bureau of Reclamation SRBA claims for storage rights in reservoirs in Basin 63. If you concur with this

2

language, please sign the concurrence line below and fax to Gail McGarry (378-5305). We will

immediately send a separate request that you accept our withdrawal of Reclamation's bank storage claims, and we will provide the capacity and elevation for each reservoir. If you have any questions, please contact me.

Sincerely,

Jerrold D. Gregg
Area Manger

Concurrence:

Chief, Adjudication Bureau
Idaho Department of Water Resources

Date

cc: Kathleen Carr
Office of the Field Solicitor
Federal Bldg - Rm 365
550 W Fort
Boise ID 83724

David Gehlert, General Litigation Section
Environmental and Natural Resources Division
U. S. Department of Justice
999 18th Street, Suite 1005, North Tower,
Denver, CO 80202

bc: PN-3100 (McGarry); SRA-6434 (Walton)

Arrowrock 3216' @ 286,600 AF
Anderson 4206' @ 493,200 AF
Jacky Peak 3078 @ 307,000 AF

02/05/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-303

WATER RIGHT NUMBER: 63-303

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA 550 W FORT ST MSC 033 BOISE, ID 83724

Priority Date: 01/13/1911
Basis: Decreed
Status: Active

Source
BOISE RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	/	to /		
IRRIGATION	/	to /	8,000.000 CFS	
	<u>Total Diversion:</u>		8,000.000 CFS	

Location of Point(s) of Diversion
BOISE RIVER

Place of Use

Conditions of Approval:

Remarks:

1. General STORAGE IN ARROWROCK RESERVOIR.
SEE FILE FOR DELIVERY INST.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2158

WATER RIGHT NUMBER: 63-2158

Owner TypeName and Address

Current Owner

US DEPT OF INTERIOR

, ZZ

Priority Date:

Basis:

Status: See Remarks

SourceTributaryBeneficial Use

From To

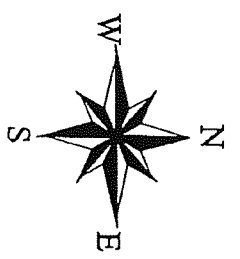
Diversion RateAnnual VolumeTotal Diversion:Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1. General SUPERCEDED BY DECREE. SEE RT. 63-0303.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

T03N, R04E, S13



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

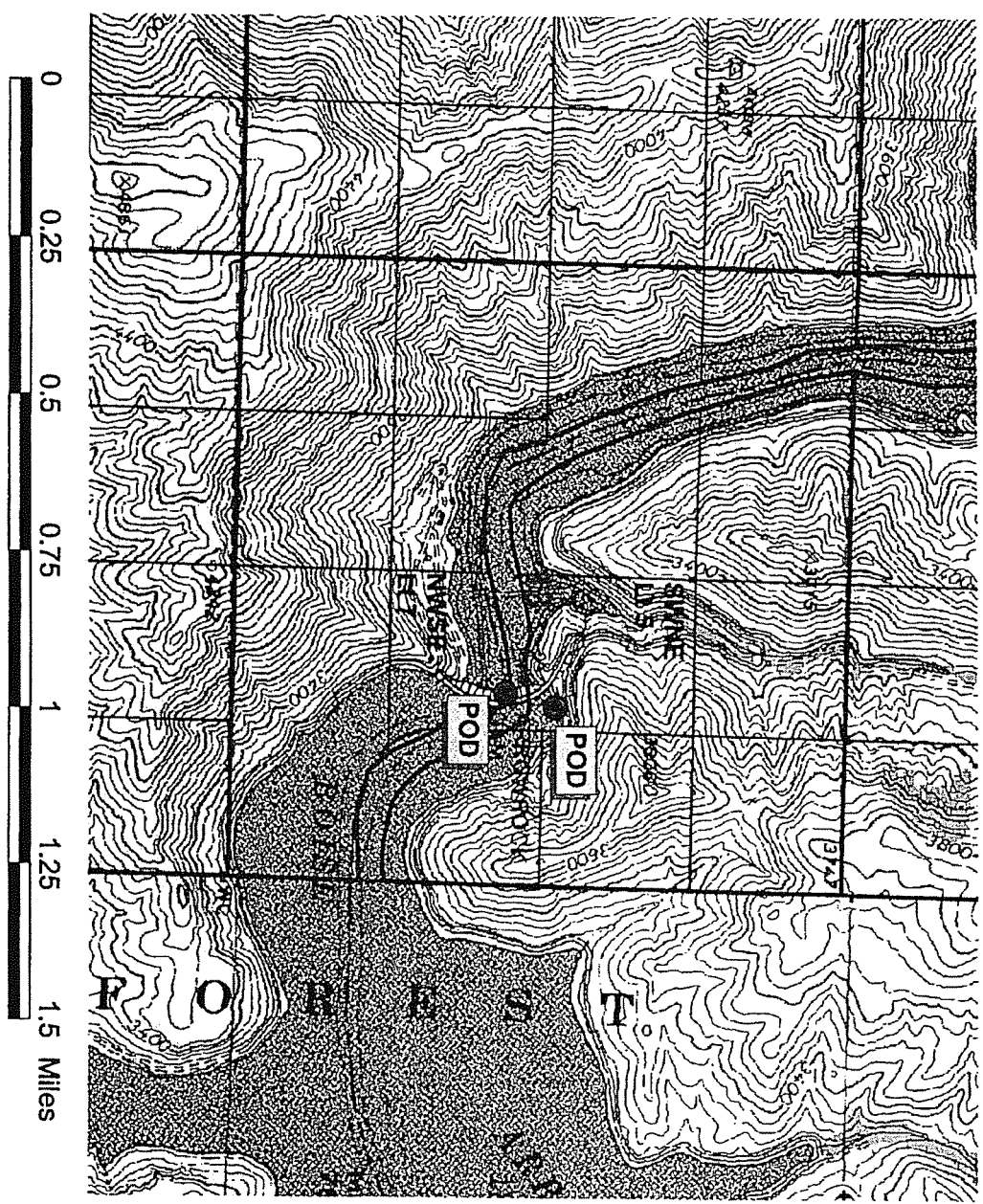
6 SECTION NUMBERS

CLAIM(S): 63-303 & 63-3613

OWNER(S): US DEPT. OF INTERIOR
BUR. OF RECLAMATION

DATE: FEBRUARY 5, 2002

by: Mel Schulte





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 28, 1994

U.S. Dept. of Interior
Bureau of Reclamation
PN Regional Office
1150 N. Curtis Rd.
Boise, ID 837061234

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Boise County - Claim No. A63-00303

Dear Claimant,

The identification number of your Notice of Claim to a Water Right has been changed from A63-02158 to A63-00303. The claim you filed based on licensed right 63-02158 was superceded by a previous decree and renumbered 63-00303. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

cc: Dept. of Justice

RM:rm:west

Enclosures:

profile report A63-00303

MICROFILMED

OCT 02 1996

ADJUDICATION MEMORANDUM

CLAIM NO: A02-02378

SUBJECT: Map/claim #5

EMPLOYEE: DA

DATE: 11-16-93

Map for claims listed below are filed in A02-02378,
A63-00251, A63-00301, A63-00302, A63-00367
A63-00373, A63-02106, A63-02109, A63-02158
A63-02212, A63-02322, A63-03613, A63-03614
A63-03618, A63-04868, A63-05261, A63-05262
A63-05263, A63-05264, A63-07340, A65-02288
A65-02433, A65-02917, A65-09481, A65-09483
A65-09485, A65-09486, A65-09487, A65-09488
A65-11412, A67-02384, A67-02389, A67-04553
A77-10114

MICROFILMED

OCT 02 1996

DECREES

Stewart Decree:

The old water rights from the Boise River are included in the decree in the case of FARMERS COOPERATIVE DITCH COMPANY, a Corporation, vs. RIVERSIDE IRRIGATION DISTRICT, LTD., a Corporation, et al, signed by District Judge George H. Stewart, January 18, 1906, commonly referred to as the "Stewart Decree". This case was appealed to the Supreme Court and affirmed as to priorities and acreage, but remanded to the District Court for the sole and only purpose of determining the duty of water. In 1914 testimony was taken before the Court as to the duty of water and was transcribed, which consists of approximately 2,630 typewritten pages. The final decree of the Court as to the duty of water has never been entered. However, Judge E. L. Bryan, Judge of the District Court of the Seventh Judicial District of the State of Idaho, issued a continuing order on May 31, 1919, which is still in effect, providing for the distribution of waters of the Boise River in the following manner, to-wit:

"The various rights, as adjudicated in the so-called "Stewart Decree", shall receive 100 percent, until the natural flow of the waters of the Boise River shall decrease, until all the rights in said decree cannot receive 100 percent, at which time the various rights as adjudicated in the so-called "Stewart Decree" shall first be cut to 75 percent of the amount of water decreed by the "Stewart Decree" as the natural flow of the Boise River decreases, beginning with the latest right and proceeding to the earliest rights in the order fixed in said "Stewart Decree", and after all of the rights shall have been reduced to 75 percent of the amount fixed in the "Stewart Decree", should the natural flow of the waters in the Boise River decrease

7th JUD. DIST.
CANYON

DEPT. HAS
ASSUMED
1" AVE
STANDARD

below the amount necessary to supply said 75 percent of the water rights as decreed in said "Stewart Decree", then the various rights beginning with the latest and proceeding to the earliest, as aforesaid, shall be reduced to 60 percent of the amount specified in the "Stewart Decree", and 60 percent of the amount decreed in the "Stewart Decree" is hereby fixed and determined as the highest duty of water for year 1919.

Bryan Decree:

In the SEVENTH JUDICIAL DISTRICT of the State of Idaho, Judge E. L. Bryan signed a decree on February 14, 1929, in the case of PIONEER IRRIGATION DISTRICT vs. AMERICAN DITCH ASSOCIATION, et al, commonly referred to as the "Flood Water Suit", or "Bryan Decree". All rights decreed in this case are made subsequent to the "Stewart Decree. This case was appealed to the Supreme Court where it was upheld as to some of the rights involved but remanded to the District Court for retrial on the question of the duty of water and also for the purpose of determing certain other rights.

On January 30, 1932, Judge A. O. Sutton signed an order temporarily establishing the various rights in the "Flood Water Suit" and providing for a duty of water similar to the "Sliding Scale" in the Stewart Decree. On June 23, 1933, Judge Chas. E. Winstead of the THIRD JUDICIAL DISTRICT, sitting as Judge in the SEVENTH JUDICIAL DISTRICT for the State of Idaho, signed a continuing order making the order of Judge Sutton for 1932 effective for 1933 and continuing. This order has remained in effect since that time.

Chart #1 shows the condensed "Stewart Decree", listing right holders, priority dates and the amount decreed. Chart #2 shows the Intervenorrs in the "Stewart Decree", showing the owner, priority date and amount decreed.

The Stewart and Bryan Decrees are also grouped under the canal name for ease in locating the current right owner, Chart #3.

Chart #4 shows the 60%, 75% and 100% flows required to satisfy the order of Judge Bryan for the Stewart Decree. Also, Chart #5 shows the same thing for the Bryan Decree.

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR CANYON COUNTY

PIONEER IRRIGATION DISTRICT,
An Irrigation District,

Plaintiff

vs

AMERICAN DITCH ASSOCIATION,
a corporation,

BOISE CITY CANAL COMPANY,
a corporation,

BOISE RAPID TRANSIT COMPANY
a Corporation

BOISE VALLEY IRRIGATING DITCH
COMPANY, a Corporation,

BARBER LUMBER COMPANY, a
Corporation,

CANYON DITCH COMPANY, a
Corporation,

CANYON COUNTY CANAL COMPANY,
a Corporation,

CANYON COUNTY WATER COMPANY,
A Corporation,

CANYON COUNTY IRRIGATION COMPANY,
a Corporation,

CANYON IRRIGATION COMPANY, a
Corporation,

DRY CREEK DITCH COMPANY, a
Corporation,

EUREKA DITCH COMPANY, a
Corporation,

EUREKA DITCH COMPANY NO. 2,
a Corporation,

EUREKA WATER COMPANY, a
Corporation,

DEGREE

Deuce # XXVIII

Canals for domestic purposes and for use upon lands lying under the same in the following amounts from the following dates:

63 0294	306.56 second feet from April 1, 1905
63 0295	54.5 " " " " 1, 1908

FARMERS' CO-OPERATIVE DITCH COMPANY

That, subject to the awards made in the Stewart Decree, the defendant Farmers' Co-Operative Ditch Company is entitled to and is hereby awarded the ^{said} use of the waters of the Boise River diverted through its canal commonly known as the Farmers' Co-Operative Canal for domestic purposes and for use upon lands lying under the same in the following amount from the following date:

63 0298	154.455 second feet from April 1, 1908
---------	--

NEW YORK IRRIGATION DISTRICT
BOISE-KUNA IRRIGATION DISTRICT

That neither the defendant New York Irrigation District nor the defendant Boise-Kuna Irrigation District is entitled to any waters whatsoever (in addition to that awarded thereunder in the Stewart Decree) under or by virtue of the water filing of W.C. Annett made on March 23, 1900.

FARMERS' UNION DITCH COMPANY

That, subject to the awards made in the said Stewart Decree, the defendant Farmers' Union Ditch Company is entitled to and is hereby awarded the said use of the waters of the Boise River diverted through its canal commonly known as the Farmers' Union Canal for domestic purposes and for use upon lands lying

under the same in the following amount from the following date;

51.48 second feet from July 8, 1891.

63 0297

SOUTH BOISE MUTUAL DITCH COMPANY

That, subject to the awards made in the said Stewart Decree, the defendant South Boise Mutual Ditch Company is entitled to and is hereby awarded the said use of the waters of the Boise River diverted through its canal commonly known as the South Boise Mutual Canal for domestic purposes and for use of lands lying below the same in the following amount from the following date:

63 0298

5.4 second feet from April 1, 1905

RIVERSIDE IRRIGATION DISTRICT, LIMITED.

That, subject to the awards made in the said Stewart Decree, the defendant Riverside Irrigation District, Limited, is entitled to and is hereby awarded the said use of the waters of the Boise River diverted through its canal commonly known as the Riverside Canal for domestic purposes and for use upon lands lying under the same in the following amounts from the following dates;

63 0299

63.78 second feet from April 1, 1910

63 0300

17.70 " " " " 1, 1914

UNITED STATES OF AMERICA

That the intervenor United States of America is not entitled to any waters whatsoever (in addition to that awarded thereunder in the Stewart Decree) under or by virtue of the water filing of W.G.

Annett made on March 23, 1900/ but subject to the awards made in the said Stewart Decree it is entitled to the use of the waters of said Boise River diverted through what is commonly known as the New York Canal for domestic purposes and (except as herein specifically limited) for use of lands lying under the same in the following amounts from the following dates:

[63 0301	1062.08 second feet from Dec 14, 1903	- superseded by Sutton Order dated 1-30-1932, and subsequent continuation by Evristad filed June 23, 1933. Waterworks records indicate that 1354.58 cfs are delivered under this order, as defined in the Sutton Order D.R. 1-27-83
63 0302	834.00 " " " June 16, 1909	

That subject to the awards made in said Decree it is entitled to (1500.00 second feet from June 16, 1909 for power purposes only at the Government power plant at its diversion dam at the head of the New York Canal; and to 63 0302 8000.00 second feet from January 13, 1911, for storage in Arrowrock Reservoir during the flood water season only and thereafter to be drawn out and used in the irrigation of lands of the Boise Project, and other lands entitled to the same.

Dated February 14th, 1929

Ed L. Bryan
District Judge

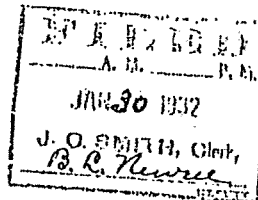
Entered and Filed
9:30 A.M. Feb 16, 1929
Myrtle Bernard, Clerk
Rose Edwards, Deputy

11-529
Compared

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO IN AND FOR CANYON COUNTY.

PIONEER IRRIGATION DISTRICT,
Plaintiff,
v.
AMERICAN DITCH COMPANY et al.,
Defendants,
and
UNITED STATES OF AMERICA,
Intervener.

ORDER
FOR DISTRIBUTION OF WATERS OF
BOISE RIVER
FOR 1932.



On this 30th day of January, 1932, counsel for all parties being present in court, on motion of the plaintiff and no one objecting thereto, the court hereby enters the following order:

IT IS HEREBY ORDERED that from and after the date hereof, all waters of the Boise River involved in this suit, shall be distributed during the year 1932 to the following named parties, in accordance with the following priorities, and in the amounts shown after each respectively, subject, however, to the sliding scale hereinafter set forth:

- 63-0297 — ~~Idaho Power Co., Ltd.~~, Ltd., 54.46 second feet, with date of priority, ~~July 2, 1924~~;
- 63-0372 — ~~Idaho Power Co., Ltd.~~ and ~~Idaho Power Co., Ltd.~~, successors to New York Canal Co., 58.86 second feet, with date of priority ~~March 22, 1900~~;
- 63-0301 — ~~Idaho Power Co., Ltd.~~, 1354.58 second feet, with date of priority, ~~December 14, 1908~~;
- 63-0294 — ~~Idaho Power Co., Ltd.~~, 506.56 second feet, with date of priority, ~~April 1, 1905~~;
- 63-0296 — ~~Idaho Power Co., Ltd.~~, 154.45 second feet with date of priority, ~~April 1, 1900~~;

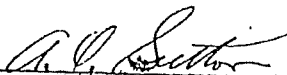
- 63-0298 - South Boise Lateral Ditch Co., 5.4 second feet,
with date of priority, April 1, 1905;
- 63-0295 - Pinedale Irrigation District, 54.5 second feet,
with date of priority, April 1, 1908;
- 63-0373 - United States of America, 292.5 second feet,
with date of priority, April 1, 1909;
- 63-0302 - United States of America, 634 second feet,
with date of priority, June 16, 1909;
- 63-0299 - Riverside Irrigation District, 63.78 second feet,
with date of priority, April 1, 1910;
- 63-0303 - United States of America, 6000 second feet,
with date of priority January 13, 1911 for storage
in Arrow Rock Reservoir, provided that the Arrow Rock
Reservoir of the United States under date of priority
of January 13, 1911, shall not be subject to out until
the flow of Boise River is insufficient to supply the
said right and all rights prior thereto, and that
after the flow of Boise River becomes insufficient to
supply the said right, and all rights prior thereto,
then the said Arrow Rock right shall be out in its
entirety before any right prior thereto shall be out.
- 63-0300 - Riverside Irrigation District, 17.7 second feet,
with date of priority, April 1, 1914.

IT IF FURTHER ORDERED, That the said respective parties shall receive 100 per cent of the above amount until the natural flow of the waters of Boise River shall decrease so that all the rights cannot receive 100 per cent, at which time the various rights shall first be cut to 75 per cent of the said amounts, as the natural flow of the river decreases, beginning with the latest rights and preceding to the earliest rights in the order of their said priorities, and after all of the said rights shall have been reduced to a 75 per cent of the said amounts, should the natural flow of the waters of the river decrease below the amount necessary to supply said 75 per cent of the said rights, then the various rights, beginning with the latest and preceding to the earliest, as aforesaid, shall be reduced to 60 per cent of the said specified amounts. Sixty per cent of the said specified amounts is hereby fixed and determined as the highest duty of water for the year 1932.

IT IS FURTHER ORDERED, That the waters of Boise River shall be diverted for beneficial use and not wasted, and in case any user is diverting water over and above the amount that he is actually putting to beneficial use, the amount diverted by him shall be reduced to the amount actually put to a beneficial use.

This order is made without prejudice to the contentions of any party hereto and without prejudice to the determination by the court of the ultimate rights of the parties hereto.

Dated at Caldwell, Idaho, this 30th day of January, 1932.


District Judge.

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: A63-00303

Date Received: 9/26/1989

Receipt No: X111111

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: US DEPT OF INTERIOR
Address: BUREAU OF RECLAMATION
PN REGIONAL OFFICE
1150 N CURTIS RD
BOISE ID 83706-1234 208-378-5155

OR

Name: UNITED STATES OF AMERICA, ACTING THROUGH
Address: REGIONAL DIRECTOR, PN REGION 208-378-5155
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE ID 83706-1234

OR

Name: HAUGRUD, JACK OR G GARVER OR D ZANE 202-272-4134
Address: US DEPT OF JUSTICE
ENV & NR DIV GEN LIT SEC
PO BOX 663
WASHINGTON DC 20044-0663

2. Date of Priority: JAN 13, 1911

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	04E	13		5	BOISE
				7	BOISE

5. Description of diverting works:
ARROWROCK DAM OUTLET WORKS AND SPILLWAY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8000.000		

A63-00303

Page 1

Date: 09/28/94

MICROFILMED
OCT 02 1996

7. Total Quantity Appropriated is:
8000.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 562215.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

63-03613, 63-02004, 63-05262, 63-02109

14. Remarks:

P/U IS LANDS IN THE BOISE FEDERAL RECLAMATION PROJECT IN ADA AND CANYON COUNTIES.

224,886 IRR AC--FULL SERVICE & SUPPLEMENTAL SUPPLY

SURFACE STORAGE-- 271,600 ac-ft

BANK STORAGE-- 17,000 ac-ft

1911 PRIORITY RT 63-5262-- 288,600 ac-ft

1938 PRIORITY RT 63-3613-- 15,000 ac-ft

TOTAL RESERVOIR CAPACITY-- 303,600 ac-ft

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

PIONEER IRR. DIST.

Decree Plaintiff

AMERICAN DITCH CO.

vs

Decree Defendant

Bryce A. Contor
Senior Water Resource Agent
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1728

RECEIVED

JUN 15 2001

Department of Water Resources
Eastern Region

RECEIVED

JUN 20 2001

WATER RESOURCES
WESTERN REGION

June 14, 2001

As per your request, attached is the list of water right claims that need to have an address change. Some of these are in basins that have been reported out. Some have been disallowed. Should you need further refinement of the list let me know. Thanks!

Dala Walton (208) 678-0461 ext. 23

RECEIVED

JUN 15 2001

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a ^{Department of Water Resources} ~~change in~~ address of an adjudication claim. _{Eastern Region}

[X] Water Right Number(s): See attached list

[] Old Mailing Address: United States of America Acting through
Regional Director, PN Region
Bureau of Reclamation
Box 043-550 West Fort St.
Boise Id 83724

[X] New Mailing Address: United States of America Acting through
Regional Director PN Region Code PN-3100
Bureau of Reclamation
1150 N Curtis Rd Suite 100
Boise Id 83706-5155

[X] Telephone Number: (208) 378-5306 Gail McGarry

[X] Signature of Claimant: Alana S. Watton

[X] Date: 6/14/01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED

JUN 20 2001

WATER RESOURCES
WESTERN REGION

CLAIM NO. FEATURE (PRIORITY DATE/EVIDENCE)
 (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)

QUANTITY Page 1
 c.f.s. a.f.

BOISE PROJECT - ARROWROCK DIVISION

A02-02378	Marsing Job Corps Diversion (07/28/1965 L)		
	Irrigation	0.23	
	Domestic	0.10	
		0.13	
A63-05264	Lake Lowell Bank Storage (03/27/1909 S)		
	Irrigation Storage		11,000
	Irrigation from Storage		11,000
			11,000
A63-04868	Lake Lowell Storage (03/27/1909 S)		
	Irrigation Storage		190,100
	190,100		
	Irrigation from Storage		
	Diversion to Storage		177,100
		2,800	
A63-07340	Lake Lowell Recreation Area Well (11/01/1968 L)		
	Irrigation	0.25	
	Domestic	0.25	
		0.25	
A63-03618	Lucky Peak Reservoir Storage (01/01/1955 P)		
	Irrigation Storage		307,000
	Irrigation from Storage		140,750
	Minimum Instream Flow Storage		140,750
	Minimum Instream Flow from Storage		152,300
	Flood Control Storage		152,300
			13,950
A63-05263	Lucky Peak Reservoir Bank Storage (01/01/1955 S)		
	Irrigation Storage		17,000
	Irrigation from Storage		17,000
			17,000
A63-02106	Five Mile Creek Diversion (04/28/1909 L)		
	Irrigation	10.0	
	Domestic	9.96	
		0.04	
A63-02109	Mason Creek Diversion (06/02/1909 L)		
	Irrigation	104.8	
		104.8	
A63-02212	Pipe Gulch Diversion (07/07/1913 L)		
	Irrigation	10.0	
		10.0	
A63-02322	Wilson and Elijah Slough Diversion (10/04/1918 L)		
		120.0	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 2
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
	Irrigation	120.0	
A63-02158	Arrowrock Reservoir Diversion (01/13/1911 L) Irrigation	8,000 8,000	
A63-03613	Arrowrock Reservoir Storage (06/25/1938 L) Irrigation Storage Irrigation from Storage		15,000 15,000 15,000
A63-05262	Arrowrock Reservoir Storage (01/13/1911 S) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		288,600 288,600 288,600 288,600 288,600
A63-05261	Anderson Ranch Reservoir Bank Storage (12/09/1940 S) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		30,000 30,000 30,000 30,000 30,000
A63-03614	Anderson Ranch Reservoir Storage (12/09/1940 L) Irrigation Storage Irrigation from Storage Power Storage Power from Storage Municipal Storage Municipal from Storage		493,161 487,961 458,961 493,161 464,161 5,200 5,200
A63-00301	Boise Diversion Dam Diversion (12/14/1903 D) Irrigation	1,354.58 1,354.58	
A63-00302	Boise Diversion Dam Diversion (06/16/1909 D) Irrigation	634 634	
A63-02388	Boise Diversion Dam Diversion (08/18/1924 L) Irrigation	300 300	
A63-00251	Boise Diversion Dam Diversion (03/23/1900 D) Irrigation	219.1 219.1	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE) (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	QUANTITY Page 3 c.f.s. a.f.
A63-00367	Boise Diversion Dam Power (06/15/1909 D) Power	1,500 1,500
A63-00373	Boise Diversion Dam Diversion (04/01/1909 D) Irrigation	292.5 292.5
BOISE PROJECT-PAYETTE DIVISION		
A65-02288	Black Canyon Dam Diversion (05/14/1921 D) Power	1,300 1,300
A65-02433	Black Canyon Dam Diversion (09/19/1938 D) Irrigation	1,200 1,200
A65-09481	Black Canyon Dam Diversion (04/01/1926 D) Power	300 300
A65-09486	C-Line Pumping Plant Well (06/01/1946 D) Domestic	0.04 0.04
A65-09487	Black Canyon Dam Well (06/01/1924 D) Domestic	0.04 0.04
A65-09488	Black Canyon Dam Well (06/01/1924 D) Domestic	0.04 0.04
A65-11412	Black Canyon Dam Emmett I.D. Pumps (03/15/1924 IC2) Power	220 220
A65-02927A	Cascade Reservoir Storage (12/24/1937 D) Irrigation Storage Irrigation from Storage Power Storage Power from Storage	745,200 745,200 745,200 745,200 745,200
A65-02927B	Cascade Reservoir Storage - Municipal (12/24/1937 D) Municipal Storage Municipal from Storage	2,500 2,500 2,500
A65-03105A	Willow Creek Diversion (06/01/1889 D) Irrigation	0.98 0.98

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE) (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	QUANTITY c.f.s.	Page 4 a.f.
A65-03106	Willow Creek Diversion (05/10/1891 D) Irrigation	0.44 0.44	
A65-03108A	Willow Creek Diversion (05/10/1891 D) Irrigation	1.16 1.16	
A65-03111F	Rock (Richards) Creek Diversion (06/01/1894 D) Irrigation	0.40 0.40	
A65-03142	Arling Creek Diversion (03/20/1892 D) Irrigation	3.70 3.70	
A65-03143	Arling Creek Diversion (05/22/1897 D) Irrigation	4.0 4.0	
A65-11350	Duck Creek Diversion (07/01/1900 D) Irrigation	3.82 3.82	
A65-11351	Unnamed Stream Diversion (07/01/1900 D) Irrigation	4.82 4.82	
A65-11353	Gibson Creek Diversion (07/01/1900 D) Irrigation	0.28 0.28	
A65-11354	Unnamed Stream Diversion (07/01/1900 D) Irrigation	3.60 3.60	
A65-11361	Rock Creek Diversion (07/01/1900 D) Irrigation	1.74 1.74	
A65-07794	Duck Creek Recreation Well (01/05/1977 D) Domestic	0.04 0.04	
A65-07795	Poison Creek Recreation Well (01/05/1977 D) Domestic	0.04 0.04	
A65-07796	Sugarloaf Recreation Well (01/05/1977 D) Domestic	0.02 0.02	
A65-02917	Deadwood Reservoir Power Storage (12/31/1926 D) Power Storage Power from Storage	163,000 163,000 163,000	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 5
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
A65-09483	Deadwood Reservoir Irrigation Storage (12/31/1926 D)	173,000	
	Irrigation Storage	173,000	
	Irrigation from Storage	173,000	
A65-09485	Deadwood Reservoir Headquarters Well (06/01/1929 D)	0.32	
	Domestic	0.32	
A77-10114	Johnson Creek Diversion to Deadwood Reservoir (09/01/1936 IC2)	3,500	
	Irrigation Storage	3,500	
	Irrigation from Storage	3,500	
	Power Storage	3,500	
	Power from Storage	3,500	
LEWISTON ORCHARDS PROJECT			
A85-00016	Sweetwater Creek Diversion (07/14/1904 D)	87.8	
	Irrigation	87.8	
	Domestic	87.8	
A85-02049	Waha Lake Diversion (05/26/1915 L)	10.0	
	Irrigation	10.0	
	Domestic	10.0	
	Waha Lake Diversion (05/26/1915 L)	10.0	
	Irrigation Storage	4,000	
	Irrigation from Storage	4,000	
	Domestic Storage	4,000	
	Domestic from Storage	4,000	
A85-02065	Webb Creek Diversion (01/30/1924 L)	40.0	
	Irrigation	40.0	
	Domestic	40.0	
A85-02146	Webb Creek-Soldiers Meadow Reservoir (05/24/1922 L)	2,000	
	Irrigation Storage	2,000	
	Irrigation from Storage	2,000	
	Domestic Storage	2,000	
	Domestic from Storage	2,000	
A85-02147	Captain John (Browns) Creek Diversion (12/04/1934 L)	20.0	
	Irrigation	20.0	
	Domestic	20.0	

CLAIM NO.

FEATURE (PRIORITY DATE/EVIDENCE)

(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)

QUANTITY Page 6
c.f.s. a.f.

A85-04483

Manns Lake/Sweetwater Creek (06/01/1907 S)

Irrigation Storage	10,500
Irrigation from Storage	8,000
Stockwater Storage	8,000
Stockwater from Storage	1,000
Industrial Storage	1,000
Industrial from Storage	1,500
Municipal Storage	1,500
Municipal from Storage	1,500
Fire Protection Storage	1,500
Fire Protection from Storage	1,000
	1,000

A85-11087

West Fork Sweetwater Creek Diversion (05/26/1915 S)

Irrigation Storage	20.0
Irrigation from Storage	20.0
Domestic Storage	10.0
Domestic from Storage	20.0
	10.0

LITTLE WOOD RIVER PROJECT

A37-02783

Little Wood Dam - Storage (04/10/1959 L)

Irrigation Storage	1,000
Irrigation from Storage	1,000
	1,000

A37-12888

Little Wood Dam - Wells - Recreation (09/30/1976 S)

Irrigation	0.56
Domestic	0.12
	0.44

MANN CREEK PROJECT

A67-02386

Mann Creek Reservoir Storage (12/14/1940 L)

Irrigation Storage	10,000
Irrigation from Storage	10,000
	8,390

A67-02389

Mann Creek Reservoir Storage (01/30/1964 L)

Irrigation Storage	2,950
Irrigation from Storage	2,950
	2,950

A67-04553

Mann Creek Reservoir Storage (12/14/1940 S)

Irrigation Storage	1,000
Irrigation from Storage	1,000
	1,000

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 7
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
MICHAUD FLATS PROJECT			
FALLS IRRIGATION DISTRICT			
A01-02061	Falls Irrigation District - Pumping plant (06/11/1956 L) Irrigation	153 153	
A01-04051	Falls Irrigation District - Recharge Storage (04/01/1958 IC2) Groundwater Recharge Storage		11,000 11,000
A29-02262	Falls Irrigation District - Well E (01/24/1946 L) Irrigation	2.2 2.2	
A29-02288	Falls Irrigation District - Well G (05/19/1950 L) Irrigation	2.57 2.57	
A29-02306	Falls Irrigation District - Well B (07/02/1951 L) Irrigation	2.85 2.85	
A29-02307	Falls Irrigation District - Well F (07/02/1951 L) Irrigation	2.20 2.2	
A29-02310	Falls Irrigation District - Well Q (12/22/1951 L) Irrigation	1.25 1.25	
A29-02341	Falls Irrigation District - Well M (10/29/1953 L) Irrigation	2.61 2.61	
A29-02380	Falls Irrigation District - 17 Wells (06/11/1956 L) Irrigation	44.61 44.61	
A29-02567	Falls Irrigation District - Well C (01/15/1952 L) Irrigation	2.45 2.45	
A29-02568	Falls Irrigation District - Well P (04/07/1955 L) Irrigation	3.79 3.79	
A29-02571	Falls Irrigation District - Well H (06/18/1950 L) Irrigation	2.23 2.23	
A29-10047	Falls Irrigation District - Ditchrider's House (01/01/1956 IC1) Irrigation Domestic	0.07 0.03 0.04	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 8
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
A29-02614A	Falls Irrigation District - Well K (02/16/1953 L) Irrigation	1.56 1.56	
A01-02060	A&B Irrigation District - Unit A Pumping Plant (04/01/1939 L) Irrigation	270 270	
A01-04049	A&B Irrigation District - Recharge Storage (09/09/1948 IC2) Groundwater Recharge Storage Domestic		297,500 291,500 6,000
MINIDOKA/UPPER SNAKE RIVER PROJECT			
A&B IRRIGATION DISTRICT			
A01-04060	A&B Irrigation District - Unit A - Expansion (04/01/1939 IC2) Irrigation		3,370 3,370
A36-02080	A&B Irrigation District - Wells - Unit B (09/09/1948 L) Irrigation	1,100 1,100	
A36-04265 (A36-15127) (A36-15192) (A36-15193) (A36-15194) (A36-15195) (A36-15196)	A&B Irrigation District - Unit B - Expansion (04/20/1971 IC2) Irrigation		11,893 11,893
A01-00284	American Falls Dam - Diversion (03/30/1921 D) Irrigation Storage	8,000 8,000	
A01-02064	American Falls Dam - Storage (03/30/21 L) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		1,540,600 1,540,600 1,540,600 1,540,600 1,540,600
A01-04052	American Falls Dam - Refill (06/16/1944 IC2) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		115,000 115,000 115,000 115,000 115,000

CLAIM NO.

FEATURE (PRIORITY DATE/EVIDENCE)

(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)

A01-10042	American Falls Dam - Storage - winter water savings (03/29/21 L)	159,400
	Irrigation Storage	159,400
	Irrigation from Storage	159,400
	Power Storage	159,400
	Power from Storage	159,400
A01-10053	American Falls Dam - Bank Storage (03/30/1921 L)	100,000
	Irrigation Storage	100,000
	Irrigation from Storage	100,000
	Power Storage	100,000
	Power from Storage	100,000
A29-10045	American Falls Dam - Visitor Center (03/31/1976 IC1)	0.04
	Domestic	0.04
A29-10046	American Falls Dam Seagull Bay Recreation Area (03/01/1971 IC1)	0.04
	Domestic	0.04
A35-10358	American Falls Dam - Sportsman's Park Rec. Area (01/25/1979 IC1)	1.0
	Irrigation	0.96
	Domestic	0.04
MINIDOKA/UPPER SNAKE RIVER PROJECT		
A01-04047	Burley Irrigation District - Recharge Storage (06/19/1909 IC2)	1,500,000
	Groundwater Recharge Storage	1,500,000
A45-00512	Burley Irrigation District - Marsh Creek (04/09/1909 D)	150
	Irrigation	150
A45-10389	Burley Irrigation District - Well - Domestic (06/19/1909 IC1)	0.12
	Domestic	0.12
A45-10390	Burley Irrigation District - Well - Domestic (06/19/1909 IC1)	0.24
	Domestic	0.24
A45-10391	Burley Irrigation District - Well - Domestic (06/19/1909 IC1)	0.08
	Domestic	0.08
A21-00024	Fremont-Madison Irrigation District - Diversion (05/10/1889 D)	6.0
	Irrigation	6.0

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE) (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	QUANTITY Page 10	
		c.f.s.	a.f.
A21-00026	Fremont-Madison Irrigation District - Diversion (05/10/1889 D) Irrigation	3.0 3.0	
A21-00027	Fremont-Madison Irrigation District - Diversion (05/10/1889 D) Irrigation	3.0 3.0	
A21-00120	Fremont-Madison Irrigation District - Diversion (09/20/1901 D) Irrigation	1.6 1.6	
A21-00121	Fremont-Madison Irrigation District - Diversion (06/01/1893 D) Irrigation	1.0 1.0	
A21-00122	Fremont-Madison Irrigation District - Diversion (06/01/1901 D) Irrigation	0.8 0.8	
A21-00123	Fremont-Madison Irrigation District - Diversion (06/01/1901 D) Irrigation	0.8 0.8	
A21-00124	Fremont-Madison Irrigation District - Diversion (09/20/1901 D) Irrigation	1.0 1.0	
A21-00125	Fremont-Madison Irrigation District - Diversion (06/01/1901 D) Irrigation	0.8 0.8	
A21-00126	Fremont-Madison Irrigation District - Diversion (06/01/1900 D) Irrigation	2.2 2.2	
A21-04155	Grassy Lake Dam - Stateline Delivery (02/13/1936 IC2) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		15,204 15,204 15,204 15,204 15,204
A21-02156	Island Park Dam - Storage (03/14/1935 L) Irrigation Storage Irrigation from Storage Power Storage Power from Storage		90,000 90,000 90,000 90,000 90,000
A21-04156	Island Park Dam - Refill (11/15/1938 IC2) Irrigation Storage Irrigation from Storage		135,000 135,000 135,000

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 11
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
	Power Storage		
	Power from Storage	135,000	
		135,000	
A21-04157	Island Park Dam - Bank Storage (11/15/1938 IC2)		
	Irrigation Storage	40,000	
	Irrigation from Storage	40,000	
	Power Storage	40,000	
	Power from Storage	40,000	
		40,000	
A21-10560	Island Park Dam - Storage - winter water savings (03/29/1921 L)		
	Irrigation Storage	45,000	
	Irrigation from Storage	45,000	
	Power Storage	45,000	
	Power from Storage	45,000	
		45,000	
A21-10601	Island Park Dam - Well - Domestic (12/31/1938 IC1)		
	Domestic	0.04	
		0.04	
A01-04055	Jackson Lake Dam - Stateline Delivery (08/23/1906 WY L, IC2)	298,981	
	Irrigation Storage		298,981
	Irrigation from Storage		298,981
	Power Storage		1,415,000
	Power from Storage		1,415,000
A01-10044	Jackson Lake Dam - Stateline Delivery (08/18/1910 WY L, IC2)		
	Irrigation Storage		138,829
	Irrigation from Storage		138,829
			138,829
A01-10045	Jackson Lake Dam - Stateline Delivery (05/24/1913 WY L, IC2)		
	Irrigation Storage		409,190
	Irrigation from Storage		409,190
			409,190
UNNUMBERED(A)	Jackson Lake Dam - Bank Storage (04/01/1907 WY L, IC2)		
	Irrigation Storage		27,000
	Irrigation from Storage		27,000
			27,000
UNNUMBERED(B)	Jackson Lake Dam - Bank Storage (04/01/1912 WY L, IC2)		
	Irrigation Storage		12,000
	Irrigation from Storage		12,000
			12,000
UNNUMBERED(C)	Jackson Lake Dam - Bank Storage (04/01/1917 WY L, IC2)		
	Irrigation Storage		29,000
			29,000

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 12
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
	Irrigation from Storage		29,000
UNNUMBERED(D)	Jackson Lake Dam - Second Fill (04/01/1917 WY L, IC2)		500,000
	Irrigation Storage		500,000
	Irrigation from Storage		500,000
A01-02040	Milner-Gooding Canal (03/30/1921 L)	1,700	
	Irrigation	1,700	
A36-11119	Milner-Gooding - Hunt Site Ditchrider's House (12/31/1947 IC1)	0.07	
	Irrigation	0.03	
	Domestic	0.04	
A36-11120	Milner-Gooding - Ditchrider's House (12/31/1947 IC1)	0.07	
	Irrigation	0.03	
	Domestic	0.04	
A01-00211A	Minidoka Dam Minidoka/Burley Irrigation Districts (03/26/1903 D)	1,726	1,726
	Irrigation	1,726	
A01-00214A	Minidoka Dam Minidoka/Burley Irrigation Districts (08/06/1908 D)	1,000	1,000
	Irrigation	1,000	
A01-00217	Minidoka Dam - Power (06/15/1909 D)	2,500	
	Power	2,500	
A01-00218	Minidoka Dam - Power (07/01/1912 D)	200	
	Power	200	
A01-00219	Minidoka Dam Minidoka/Burley Irrigation District (12/14/1909 D)	2,500	
	Irrigation Storage	2,500	
A01-02016	Minidoka Dam Minidoka/Burley Irrigation District (06/16/1911 L)	888	
	Irrigation	888	
A01-04024	Minidoka Dam - Unit 6 Powerplant (06/16/1927 IC2)	825	
	Power	825	
A01-04025	Minidoka Dam - Unit 7 Powerplant (05/07/1942 IC2)	1,700	
	Power	1,700	
A01-04048	Minidoka Dam - Park Irrigation (12/14/1909 IC2)		2.8

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 13
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory).	c.f.s.	a.f.
	Irrigation	2.8	
A01-04050	Minidoka Dam - Bank Storage (04/01/1907 IC2)		
	Irrigation Storage	30,000	
	Irrigation from Storage	30,000	
	Power Storage	30,000	
	Power from Storage	30,000	
A01-10034	Minidoka Dam - Storage Minidoka/Burley Irrigation Dists (12/14/1909 D)	210,200	
	Irrigation Storage	210,200	
	Irrigation from Storage	95,200	
	Power Storage	210,200	
	Power from Storage	210,200	
A36-11114	Minidoka Dam - Spring (06/15/1909 IC2)	0.04	
	Domestic	0.04	
A36-11115	Minidoka Dam - Well (04/01/1907 IC2)	0.48	
	Irrigation	0.44	
	Domestic	0.04	
A36-11118	Minidoka Dam - Well (04/01/1907 IC2)	0.44	
	Irrigation	0.44	
A01-04046	Minidoka Irrigation District - Recharge Storage (04/01/1907 IC2)	2,700,000	
	Groundwater Recharge Storage	2,700,000	
A01-02068	Palisades Dam - Storage (07/28/1939 L)	1,141,400	
	Irrigation Storage	1,141,400	
	Irrigation from Storage	1,097,400	
	Power Storage	1,141,400	
	Power from Storage	1,141,400	
A01-04053	Palisades Dam - Well (06/01/1948 S)	0.31	
	Irrigation	0.31	
	Domestic	0.31	
A01-04054	Palisades Dam - Power (02/27/1957 IC2)	9,000	
	Power	9,000	
A01-04056	Palisades Dam - Refill (05/03/1957 IC2)	1,200,000	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	Page 15
		c.f.s. a.f.
	Domestic	0.04
A22-07022	Teton Dam - Wells *****PERMIT***** (04/23/1969 P) Irrigation	80.88 80.88
A22-07062	Teton Dam - Well - Domestic (01/05/1973 L) Domestic	0.06 0.06
A25-12223	Tex Creek - Spring - Cove Creek (01/01/1918 IC1) Stockwater Wildlife	0.08 0.04 0.04
A25-12224	Tex Creek - Spring - Cove Creek (01/01/1918 IC1) Stockwater Wildlife	0.02 0.01 0.01
A25-12225	Tex Creek - Spring - Indian Fork (01/01/1918 IC1) Stockwater Wildlife	0.08 0.04 0.04
A25-12226	Tex Creek - Spring - Hayshed Creek/Indian Fork (01/01/1918 IC1) Stockwater Wildlife	0.02 0.01 0.01
A25-12227	Tex Creek - Spring - Willow Springs (01/01/1918 IC1) Stockwater Wildlife	0.02 0.01 0.01
A25-12228	Tex Creek - Spring - Pipe Creek (01/01/1918 IC1) Irrigation Domestic	0.02 0.01 0.01
A25-12229	Tex Creek - Spring - Spring Creek (01/01/1918 IC1) Stockwater Wildlife	0.02 0.01 0.01
A25-12231	Tex Creek - Spring Dog Tooth/Blue Creek (01/01/1918 IC1) Stockwater Wildlife	0.04 0.02 0.02
A25-12234	Tex Creek - Indian Creek (01/01/1918 IC1)	0.04

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY	Page 14
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	c.f.s.	a.f.
	Irrigation Storage	1,200,000	
	Irrigation from Storage	1,200,000	
	Power Storage	1,200,000	
	Power from Storage	1,200,000	
A01-04057	Palisades Dam - Bank Storage (07/03/1957 IC2)	185,000	
	Irrigation Storage	185,000	
	Irrigation from Storage	92,000	
	Power Storage	185,000	
	Power from Storage	92,000	
A01-10043	Palisades Dam - Storage - winter water savings (03/29/1921 L)	259,600	
	Irrigation Storage	259,600	
	Irrigation from Storage	259,600	
	Power Storage	259,600	
	Power from Storage	259,600	
A23-04073	Palisades Dam - Well (06/01/1948 IC2)	0.40	
	Domestic	0.40	
A23-10062	Palisades Dam - Well (06/01/1948 IC1)	0.04	
	Domestic	0.04	
A25-07004	Ririe Dam - Storage *****PERMIT***** (03/18/1975 P)	90,500	
	Irrigation Storage	90,500	
	Irrigation from Storage	86,500	
	Power Storage	90,500	
	Power from Storage	86,500	
A25-07008	Ririe Dam - Well - Domestic (05/04/1970 L)	0.04	
	Domestic	0.04	
A25-07135	Ririe Dam - Spring (09/13/1977 L)	0.01	
	Domestic	0.01	
A25-07201	Ririe Dam - Well - Park (08/11/1980 L)	0.14	
	Irrigation	0.08	
	Domestic	0.14	
A25-12222	Ririe Dam - Well (07/31/1987 S)	0.44	
	Irrigation	0.40	

CLAIM NO.	FEATURE (PRIORITY DATE/EVIDENCE)	QUANTITY Page 16
	(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)	
		c.f.s. a.f.
	Irrigation	0.03
	Wildlife	0.01
A25-12236	Tex Creek - Pond - Trail Creek (01/01/1918 IC1)	0.05
	Irrigation	0.03
	Stockwater	0.01
	Wildlife	0.01
A25-12238	Tex Creek - Well - Domestic (01/01/1985 IC1)	0.04
	Domestic	0.04
OWYHEE PROJECT-IDAHO-OREGON UNIT		
A57-10807	Succor Creek Diversion - (Owyhee Reservoir) (04/11/1935 S)	30.0
	Irrigation	30.0

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

RE-NUMBERED TO: A63-00303
Ident. Number: ~~A63-02158~~
Date Received: 8/11/1989
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-378-5155
Address: REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE ID 83706-1234

2. Date of Priority: JAN 13, 1911

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	04E	13		5	BOISE
				7	BOISE

5. Description of diverting works:
ARROWROCK DAM OUTLET WORKS & SPILLWAY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8000.000		

7. Total Quantity Appropriated is:
8000.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 562215.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
63-3613, 63-2004, 63-5262, 63-2109

14. Remarks:
P/U IS LANDS IN THE BOISE FEDERAL RECLAMATION PROJECT IN ADA AND
CANYON COUNTIES.
224,886 IRR AC--FULL SERVICE & SUPPLEMENTAL SUPPLY
SURFACE STORAGE-- 271,600 ac-ft
BANK STORAGE-- 17,000 ac-ft
1911 PRIORITY RT 63-5262-- 288,600 ac-ft
1938 PRIORITY RT 63-3613-- 15,000 ac-ft
TOTAL RESERVOIR CAPACITY-- 303,600 ac-ft

15. Basis of Claim: LICENSE

Water Right Number: 7180

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 02 1996

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: A63-02158

Date Received: 7/27/1988

Receipt No:

Received By:

RECORDED
JUL 27 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

2. Date of Priority: JAN 13, 1911

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	04E	13		5	BOISE
				7	BOISE

5. Description of diverting works:
ARROWROCK DAM OUTLET WORKS & SPILLWAY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	8000.000		

7. Total Quantity Appropriated is:
8000.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 562215.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

A63-02158

Page 1

Date: 05/09/89

MICROFILMED
OCT 02 1996

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
63-3613, 63-2004, 63-5262, 63-2109

14. Remarks:

P/U IS LANDS IN THE BOISE FEDERAL RECLAMATION PROJECT IN ADA AND CANYON COUNTIES.

224,886 IRR AC--FULL SERVICE & SUPPLEMENTAL SUPPLY

SURFACE STORAGE-- 271,600 ac-ft

BANK STORAGE-- 17,000 ac-ft

1911 PRIORITY RT 63-5262-- 288,600 ac-ft

1938 PRIORITY RT 63-3613-- 15,000 ac-ft

TOTAL RESERVOIR CAPACITY-- 303,600 ac-ft

15. Basis of Claim: LICENSE
Water Right Number: 7180

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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT B
to
Affidavit of Scott L. Campbell

RECEIVED

JUN 19 2003

Department of Water Resources

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South Boise Water Company, Eureka Water Company, Thurman
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Farmers Cooperative Ditch Company and Ballantyne Ditch Company Limited

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MOTION TO CONSOLIDATE AND MEMORANDUM IN SUPPORT OF MOTION
TO CONSOLIDATE COMMON ISSUE IN SUBCASES LISTED IN ATTACHMENT A - 1

BOI_MT2:511337.1

Exhibit B

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

Subcase Nos.: See Attachment A

**MOTION TO CONSOLIDATE AND
MEMORANDUM IN SUPPORT OF MOTION TO
CONSOLIDATE COMMON ISSUE IN
SUBCASES LISTED IN ATTACHMENT A**

Pioneer Irrigation District and Settlers Irrigation District, by and through their counsel of record Moffatt, Thomas, Barrett, Rock & Fields, Chtd.; Nampa Meridian Irrigation District, New Dry Creek Ditch Company, Boise Valley Irrigation District Company, South Boise Water Company, Eureka Water Company, Thurman Mill Ditch Company, Eagle Island Water Users Association, Farmers Cooperative Ditch Company and Ballantyne Ditch Company Limited, by and through their counsel of record Ringert Clark Chartered; and Farmers Union Ditch Company, Canyon County Water Company, Middleton Irrigation Association, and Middleton Mill Ditch Company, by and through their counsel of record Stoppello & Kiser, Attorneys at Law; (collectively "Irrigation Entities") and in accordance with Idaho Rule of Civil Procedure 42(a) and Administrative Order 1 Rule 11, hereby move the Court for an order consolidating an issue common to the subcases listed in Attachment A hereto.

I.

LEGAL BACKGROUND

Idaho Rule of Civil Procedure 42(a) provides that:

When actions involving a common question of law or fact are

pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

I.R.C.P. 42(a). Similarly, Administrative Order 1, Rule 11 provides for consolidation of issues or subcases in the SRBA. Specifically:

Any matter at issue in any proceeding in the adjudication, including portions of or entire subcases, may be consolidated with or separated from any other matter at issue in the adjudication. Any party to a subcase may move for consolidation or separation of claims or issues . . . If a motion to consolidate concerns issues from subcases which are all before the same Special Master, it shall be served only on parties to those subcases and shall be decided by the Special Master.

AO1 Rule 11. A note to that Rule provides that:

A motion to consolidate subcases is appropriate in situations where common issues of law or fact present themselves in more than one subcase and resolution of those issues can be most expeditiously and effectively achieved through presentation to the Presiding Judge or a Special Master in consolidated hearings.

AO1, Rule 11, Note.

As discussed below, those circumstances are present regarding the subcases listed in Attachment A.

II.

ANALYSIS

The United States Bureau of Reclamation (the "BOR") filed claims to water rights for Arrowrock Dam and Reservoir (63-00303, 63-05262, and 63-03613)¹; Lucky Peak Dam and Reservoir (63-03618); and Anderson Ranch Dam and Reservoir (63-03614). In addition, the Irrigation Entities filed claims to water rights from those facilities. Broadly stated, the Irrigation Entities filed claims for water rights representing the quantity of water to which they are entitled under their respective contracts with the BOR.

When the Director of the Idaho Department of Water Resources issued his Director's Reports for Basin 63, Part 1, he recommended that the BOR's claims be decreed, and that the respective claims filed by the individual irrigation entities be decreed as disallowed. The Irrigation Entities listed in Attachment A of this Motion filed objections to the Director's Reports. The Committee of Nine also filed responses.

The claims listed in Attachment A all have a common issue: who is the proper owner of the water rights? As recommended by the Director, the BOR would be the owner of water rights 63-00303, 63-03618, and 63-03614. However, it is the Irrigation Entities' position that they should be decreed the full owner of the water rights which they have claimed for

¹ SRBA claim number 63-05262 was decreed disallowed on April 24, 2003.

Arrowrock, Anderson Ranch, and Lucky Peak or, at least, the beneficial owner of a portion of water rights 63-00303, 63-03618, and 63-03614.²

That issue is one that all of the subcases listed in Attachment A have in common. In the words of Administrative Order 1, a motion to consolidate ownership issue in the subcases listed in Attachment A is appropriate because the subcases have common issues of law, and resolution of those issues could be most expeditiously and effectively achieved through presentation to the Special Master in consolidated hearings. There are some issues that vary among the water rights for each of the facilities (for example, Pioneer and Settlers have raised an issue regarding whether one of the recommended purposes of use for the Lucky Peak water right is permissible under Idaho law), but the subcases in Attachment A have the ownership issue in common.

It would make little sense from a legal or a financial standpoint to adjudicate each of the numerous subcases listed in Attachment A separately, when they have the ownership issue in common. Consolidation is the most expedient and sensible way to approach these subcases, particularly since the BOR has filed a motion to participate in those subcases in which the water rights are claimed by an irrigation entity. *See United States' Motion for Permission to Participate and to File Late Responses, SRBA Subcase Numbers 63-303A et. seq. (filed on or about June 5,*

² By way of clarification, not every irrigation entity listed in Attachment A has a contract for each of the three facilities. For example, Canyon County Water Company has a contract and thus claims an ownership interest in water from Lucky Peak Dam and Reservoir. However, Canyon County Water Company does not have a contract for water from Arrowrock Dam and Reservoir, and thus does not claim an ownership interest. This does not affect the overall issue, nor the propriety of consolidation.

2003), p. 4-5 (stating that the listed subcases have common issues of law and fact).

III.

CONCLUSION

The Irrigation Entities respectfully request that the Special Master issue an order consolidating the ownership issue in the subcases listed in Attachment A for purposes of resolving that issue.

DATED this 17th day of June 2003.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Scott L. Campbell
Scott L. Campbell - Of the Firm

By Angela Schaefer Kaufmann
Angela Schaefer Kaufmann - Of the Firm
Attorneys for Pioneer Irrigation District and
Settlers Irrigation District

DATED this _____ day of June 2003.

RINGERT CLARK, CHARTERED

By _____
Daniel V. Steenson - Of the Firm
Attorney for s for Nampa Meridian Irrigation
District, New Dry Creek Ditch Company, Boise
Valley Irrigation District Company, South Boise
Water Company, Eureka Water Company,
Thurman Mill Ditch Company, Eagle Island
Water Users Association, Farmers Cooperative
Ditch Company and Ballantyne Ditch Company
Limited

2003), p. 4-5 (stating that the listed subcases have common issues of law and fact).

III.

CONCLUSION

The Irrigation Entities respectfully request that the Special Master issue an order consolidating the ownership issue in the subcases listed in Attachment A for purposes of resolving that issue.

DATED this 17th day of June 2003.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Scott L. Campbell
Scott L. Campbell - Of the Firm

By _____
Angela Schaer Kaufmann - Of the Firm
Attorneys for Pioneer Irrigation District and
Settlers Irrigation District

DATED this 17th day of June 2003.

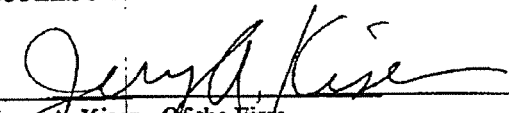
RINGERT CLARK, CHARTERED

By Daniel V. Steenson for:
Daniel V. Steenson - Of the Firm
Attorney for s for Nampa Meridian Irrigation
District, New Dry Creek Ditch Company, Boise
Valley Irrigation District Company, South Boise
Water Company, Eureka Water Company,
Thurman Mill Ditch Company, Eagle Island
Water Users Association, Farmers Cooperative
Ditch Company and Ballantyne Ditch Company
Limited.

DATED this 17 of June 2003.

STOPPELLO & KISER

By


Jerry A. Kiser - Of the Firm
Attorneys for Farmers Union Ditch Company,
Canyon County Water Company, Middleton
Irrigation Association, and Middleton Mill Ditch
Company

MOTION TO CONSOLIDATE AND MEMORANDUM IN SUPPORT OF MOTION
TO CONSOLIDATE COMMON ISSUE IN SUBCASES LISTED IN ATTACHMENT A - 7 BOI_MT2:511337.1

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of June 2003, I caused a true and correct copy of the foregoing MOTION TO CONSOLIDATE AND MEMORANDUM IN SUPPORT OF MOTION TO CONSOLIDATE SUBCASES LISTED IN ATTACHMENT A - 8 to be served by the method indicated below, and addressed to the following:

Boise Project Board of Control

Albert P. Barker
Amy D. Chestnut
Barker Rosholt & Simpson
205 N. 10th Street, Suite 520
PO Box 2139
Boise, ID 83701-2139
Fax: 344-6034

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

*Ballantyne Ditch Company Ltd., Boise Valley Irrigation
Ditch, Eagle Island Water Users Association, Eureka
Water Company, Farmers Cooperative Ditch Co., Nampa
& Meridian Irrigation, New Dry Creek Ditch Company,
South Boise Water Company, Thurman Mill Ditch Co.*

Daniel V. Steenson
S. Bryce Farris
Ringert Clark Chtd.
455 S. Third Street
PO Box 2773
Boise, ID 83701-2773
Fax: 342-4657

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Committee of Nine

John K. Simpson
Travis L. Thompson
Barker Rosholt & Simpson
205 N. 10th Street, Suite 520
PO Box 2139
Boise, ID 83701
Fax: 344-6034

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

United State of America
U.S. Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

*Canyon County Water Company, Farmers Union Ditch
Company, Middleton Irrigation Association, Middleton
Mill Ditch Company*
Jerry A. Kiser
Stoppello & Kiser
620 W. Hays Street
Boise, ID 83702
Fax: 336-1027

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

State of Idaho, Department of Fish & Game
Natural Resources Division Chief
State of Idaho
Attorney General's Office
PO Box 44449
Boise, ID 83711-4449

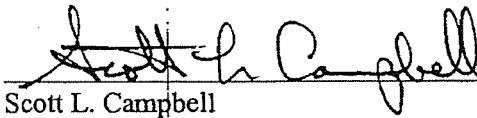
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

United States of America
Acting Regional Director PN Region
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83702-0098
Fax: 327-7866

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Scott L. Campbell

ATTACHMENT A

<u>CLAIM NUMBER</u>	<u>CLAIMANT</u>
63-303	United States Bureau of Reclamation
63-303A	Farmers Cooperative Ditch Company
63-05262	United States Bureau of Reclamation
63-05262A	Pioneer Irrigation District
63-05262B	Settlers Irrigation District
63-05262C	Nampa Meridian Irrigation District
63-03613	United States Bureau of Reclamation
63-03613A	Farmers Union Ditch Company
63-03614	United States Bureau of Reclamation
63-03614A	Pioneer Irrigation District
63-03614B	Settlers Irrigation District
63-03614C	Farmers Union Ditch Company
63-03614D	New Dry Creek Ditch Company
63-03614E	Boise Valley Irrigation Ditch
63-03614F	Nampa Meridian Irrigation District
63-03618	United States Bureau of Reclamation
63-03618A	Pioneer Irrigation District
63-03618B	Settlers Irrigation District
63-03618C	Canyon County Water Co. Ltd.
63-03618D	Farmers Union Ditch Company

63-03618E	Middleton Irrigation Association
63-03618F	Middleton Mill Ditch Company
63-03618G	New Dry Creek Ditch Company
63-03618H	Boise Valley Irrigation Ditch
63-03618J	Nampa Meridian Irrigation District
63-03618K	South Boise Water Company
63-03618L	Eureka Water Company
63-03618M	Thurman Mill Ditch Co. Ltd.
63-03618N	Eagle Island Water Users Association
63-03618P	Ballantyne Ditch Co. Ltd.

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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT C
to
Affidavit of Scott L. Campbell

RECEIVED

JUN 24 2003

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUN 23 PM 2 15

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

) Consolidated Subcase: 91-63
)
) ORDER SEPARATING AND
) CONSOLIDATING COMMON ISSUE
) FROM SUBCASES IN "EXHIBIT A"; A01
) § 11 AND 16, I.R.C.P. 42;
)
) ORDER RESCINDING ORDER OF
) REFERENCE TO SPECIAL MASTER AS
) TO CONSOLIDATED ISSUE;
)
) ORDER DESIGNATING ISSUE AS
) CONSOLIDATED SUBCASE 91-63;
)
) NOTICE OF SCHEDULING AND
) STATUS CONFERENCE ON
) CONSOLIDATED ISSUE

On June 19, 2003, various irrigation entities, to wit: Pioneer Irrigation District and Settlers Irrigation District, by and through their counsel of record Moffatt, Thomas, Barrett, Rock & Fields, Chtd.; Nampa Meridian Irrigation District, New Dry Creek Ditch Company, Boise Valley Irrigation District Company South Boise Water Company, Eureka Water Company, Thurman Mill Ditch Company, Eagle Island Water Users Association, Farmers Cooperative Ditch Company and Ballantyne Ditch Company Limited, by and through their counsel of record Ringert Clark Chartered; and Farmers Union Ditch Company, Canyon County Water Company, Middleton Irrigation Association, and Middleton Mill Ditch Company, by and through their counsel of record Stoppello & Kiser, Attorneys at Law; (collectively "Irrigation Entities"), jointly filed a *Motion to Consolidate* a common issue regarding the ownership of water rights developed pursuant to the Reclamation Act of 1902 as between the Irrigation Entities and the

ORDER SEPARATING AND CONSOLIDATING COMMON ISSUE FROM SUBCASES
IN EXHIBIT A; A01 § 11 AND 16, I.R.C.P. 42; ORDER RESCINDING ORDER OF REFERENCE
TO SPECIAL MASTER AS TO CONSOLIDATED ISSUE; ORDER DESIGNATING ISSUE AS
CONSOLIDATED SUBCASE 91-63; NOTICE OF SCHEDULING AND STATUS CONFERENCE
ON CONSOLIDATED ISSUE
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United States Department of Interior, Bureau of Reclamation, (BOR), specifically pertaining to water rights for Arrowrock Dam and Reservoir, Lucky Peak Dam and Reservoir and Anderson Ranch Dam and Reservoir.

The ownership issue was raised in subcases presently pending before Special Master Thomas Cushman. Because the ownership issue primarily involves a question of law, the likelihood of similar issues arising in other sub-basins, and the need to have the issue decided in an expeditious manner, the Court intends to preside over and decide the issue directly as opposed to having the matter first proceed before a special master.

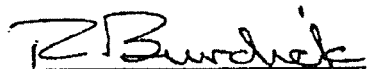
THEREFORE, THE FOLLOWING ARE HEREBY ORDERED:

1. **Order Separating and Consolidating Issue:** Pursuant to A01 § 11 and I.R.C.P. 42, IT IS ORDERED that the common issue regarding the ownership of water rights as between the Irrigation Entities and the BOR is separated from those subcases listed in attached **Exhibit A** and is consolidated into a single subcase for purposes of resolution.
2. **Order Designating Issue as Consolidated Subcase 91-63:** IT IS FURTHER ORDERED that the consolidated subcase is hereby designated as consolidated subcase 91-63. All future filings pertaining to said consolidated issue should be filed under said subcase number.
3. **Order Rescinding Consolidated Issue from Order of Reference:** IT IS FURTHER ORDERED that the ownership issue separated from those subcases listed in **Exhibit A** and now consolidated into consolidated subcase 91-63 is hereby rescinded from the previously issued *Order of Reference to Special Master Thomas Cushman* which referred those subcases to Special Master Cushman. Consolidated subcase 91-63 shall proceed before the Presiding Judge. All other matters and issues pertaining to said subcases in **Exhibit A** shall proceed before the Special Master. Any party asserting that issues regarding the other elements of the water rights cannot proceed until a resolution of the consolidated subcase is reached will have to take such matters up with the Special Master.
4. **Notice of Initial Hearing for Scheduling and Status Purposes:** Notice is hereby given that an initial hearing will be conducted for purposes of scheduling on **July 15, 2003 at the SRBA Courthouse, 253 3rd Ave. N., Twin Falls, Idaho**. Anyone wishing to participate by phone may do so by calling 1-918-583-3445 and entering the participant code 406128 when prompted.

ORDER SEPARATING AND CONSOLIDATING COMMON ISSUE FROM SUBCASES
IN EXHIBIT A; A01 § 11 AND 16, I.R.C.P. 42; ORDER RESCINDING ORDER OF REFERENCE
TO SPECIAL MASTER AS TO CONSOLIDATED ISSUE; ORDER DESIGNATING ISSUE AS
CONSOLIDATED SUBCASE 91-63; NOTICE OF SCHEDULING AND STATUS CONFERENCE
ON CONSOLIDATED ISSUE
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5. **Notices of Intent to Participate:** Any party to the adjudication not already a party to one of the enumerated subcases in **Exhibit A**, seeking to participate in the consolidated subcase may do so by filing and serving a response setting forth their position on the issue. The response must be served on the parties to the consolidated subcase (listed in the attached certificate of mailing) prior to the date set for the hearing.

DATED: June 23rd, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER SEPARATING AND CONSOLIDATING COMMON ISSUE FROM SUBCASES
IN EXHIBIT A; A01 § 11 AND 16, I.R.C.P. 42; ORDER RESCINDING ORDER OF REFERENCE
TO SPECIAL MASTER AS TO CONSOLIDATED ISSUE; ORDER DESIGNATING ISSUE AS
CONSOLIDATED SUBCASE 91-63; NOTICE OF SCHEDULING AND STATUS CONFERENCE
ON CONSOLIDATED ISSUE
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EXHIBIT A

Subcase Nos:

63-00303
63-00303A
63-03613
63-03613A
63-03614
63-03614A
63-03614B
63-03614C
63-03614D
63-03614E
63-03614F
63-03618
63-03618A
63-03618B
63-03618C
63-03618D
63-03618E
63-03618F
63-03618G
63-03618H
63-03618J
63-03618K
63-03618L
63-03618M
63-03618N
63-03618P
63-05262
63-05262A
63-05262B
63-05262C

(Subcase list: CONCOMMON)
6/23/03

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SEPARATING AND CONSOLI- DATING COMMON ISSUE; ORDER RESCINDING ORDER OF REFERENCE; ORDER DESIGNATING ISSUE was mailed on June 23, 2003, with sufficient first-class postage to the following:

BOISE PROJECT BOARD OF CONTROL

Represented by:
ALBERT P. BARKER
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

PIONEER IRRIGATION DISTRICT SETTLERS IRRIGATION DISTRICT

Represented by:
ANGELA SCHAEER KAUFMANN
101 S CAPITOL BLVD, 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

BOISE PROJECT BOARD OF CONTROL

Represented by:
CHESTNUT, AMY D
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BALLANTYNE DITCH COMPANY LTD BOISE VALLEY IRRIGATION DITCH EAGLE ISLAND WATER USERS ASSN EUREKA WATER COMPANY FARMERS COOPERATIVE DITCH CO NAMPA & MERIDIAN IRRIGATION NEW DRY CREEK DITCH COMPANY SOUTH BOISE WATER COMPANY THURMAN MILL DITCH CO

Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

CANYON COUNTY WATER COMPANY FARMERS UNION DITCH COMPANY MIDDLETON IRRIGATION ASSN MIDDLETON MILL DITCH COMPANY

Represented by:
JERRY A. KISER
620 WEST HAYES
BOISE, ID 83702
Phone: 208-336-1020

COMMITTEE OF NINE (SEE NOTES)

Represented by:
JOHN K. SIMPSON
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

STATE OF IDAHO, DEPT OF F & G

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

BALLANTYNE DITCH COMPANY LTD BOISE VALLEY IRRIGATION DITCH EAGLE ISLAND WATER USERS ASSN EUREKA WATER COMPANY FARMERS COOPERATIVE DITCH CO NAMPA & MERIDIAN IRRIGATION NEW DRY CREEK DITCH COMPANY SOUTH BOISE WATER COMPANY THURMAN MILL DITCH CO

Represented by:
S. BRYCE FARRIS
RINGERT CLARK, CHTD
PO BOX 2773
BOISE, ID 83701
Phone: 208-342-4591

(Certificate of mailing continued)

PIONEER IRRIGATION DISTRICT
SETTLERS IRRIGATION DISTRICT
Represented by:
SCOTT L. CAMPBELL
101 S CAPITOL BLVD, 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

UNITED STATES OF AMERICA ACTIN
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE, ID 83706-1234
Phone: 208-378-5322

COMMITTEE OF NINE (SEE NOTES)
Represented by:
TRAVIS L THOMPSON
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

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

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83605
Phone: 208-459-3617

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606
Phone: 208-459-3617

SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE, ID 83707
Phone: 208-344-2471

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

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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT D
to
Affidavit of Scott L. Campbell

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00303

FILED
2007 JUN 28 PM 4 18

NAME AND ADDRESS: UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 271600.00 AFY

TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO
ELEVATION 3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM

PRIORITY DATE: 01/13/1911

POINT OF DIVERSION: T03N R04E S13 LOT 5 (SWNE) Within Boise County
LOT 7 (NWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	271600.00 AFY
	Irrigation from Storage	03-15 TO 11-15	271600.00 AFY

PLACE OF USE:
THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT
WITHIN ADA, CANYON, BOISE, ELMORE COUNTIES, IDAHO, AND MALHEUR
COUNTY, OREGON (BIG BEND IRRIGATION DISTRICT).

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

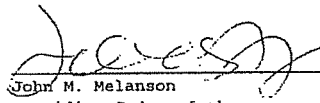
THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE
BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS SECTIONS OF
THIS PARTIAL DECREE. HOWEVER, AS A MATTER OF IDAHO CONSTITUTIONAL
AND STATUTORY LAW, TITLE TO THE USE OF THE WATER IS HELD BY THE
CONSUMERS OR USERS OF THE WATER. THE IRRIGATION ORGANIZATIONS
ACT ON BEHALF OF THE CONSUMERS OR USERS TO ADMINISTER THE USE OF
THE WATER FOR THE LANDOWNERS IN THE QUANTITIES AND/OR PERCENTAGES
SPECIFIED IN THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND
THE IRRIGATION ORGANIZATIONS FOR THE BENEFIT OF THE LANDOWNERS
ENTITLED TO RECEIVE DISTRIBUTION OF THIS WATER FROM THE
RESPECTIVE IRRIGATION ORGANIZATIONS. THE INTEREST OF THE
CONSUMERS OR USERS OF THE WATER IS APPURTENANT TO THE LANDS
WITHIN THE BOUNDARIES OF OR SERVED BY SUCH IRRIGATION
ORGANIZATIONS, AND THAT INTEREST IS DERIVED FROM LAW AND IS NOT
BASED EXCLUSIVELY ON THE CONTRACTS BETWEEN THE BUREAU OF
RECLAMATION AND THE IRRIGATION ORGANIZATIONS.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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 SRBA
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
TWIN FALLS CO. IDAHO

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-03613

FILED

2007 JUN 28 PM 4 18

NAME AND ADDRESS: UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 15000.00 AFY

TOTAL RESERVOIR CAPACITY IS 286,600 ACRE FEET WHEN FILLED TO
ELEVATION 3216 AND MEASURED AT THE UPSTREAM FACE OF THE DAM. THE
BUREAU OF RECLAMATION MAY TEMPORARILY STORE WATER IN THE
SURCHARGE CAPACITY, WHICH IS ABOVE ELEVATION 3216 DURING FLOOD
EVENTS OR EMERGENCY OPERATIONS.

PRIORITY DATE: 06/25/1938

POINT OF DIVERSION: T03N R04E S13 LOT 5 (SWNE) Within Boise County
LOT 7 (NWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	15000.00 AFY
	Irrigation from Storage	03-15 TO 11-15	15000.00 AFY

PLACE OF USE:
THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT
WITHIN ADA, CANYON, BOISE AND ELMORE COUNTIES, IDAHO AND MALHEUR
COUNTY, OREGON (BIG BEND IRRIGATION DISTRICT).

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

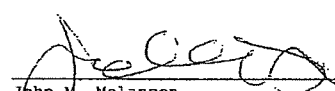
THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE
BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS SECTIONS OF
THIS PARTIAL DECREE. HOWEVER, AS A MATTER OF IDAHO CONSTITUTIONAL
AND STATUTORY LAW, TITLE TO THE USE OF THE WATER IS HELD BY THE
CONSUMERS OR USERS OF THE WATER. THE IRRIGATION ORGANIZATIONS
ACT ON BEHALF OF THE CONSUMERS OR USERS TO ADMINISTER THE USE OF
THE WATER FOR THE LANDOWNERS IN THE QUANTITIES AND/OR PERCENTAGES
SPECIFIED IN THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND
THE IRRIGATION ORGANIZATIONS FOR THE BENEFIT OF THE LANDOWNERS
ENTITLED TO RECEIVE DISTRIBUTION OF THIS WATER FROM THE
RESPECTIVE IRRIGATION ORGANIZATIONS. THE INTEREST OF THE
CONSUMERS OR USERS OF THE WATER IS APPURTENANT TO THE LANDS
WITHIN THE BOUNDARIES OF OR SERVED BY SUCH IRRIGATION
ORGANIZATIONS, AND THAT INTEREST IS DERIVED FROM LAW AND IS NOT
BASED EXCLUSIVELY ON THE CONTRACTS BETWEEN THE BUREAU OF
RECLAMATION AND THE IRRIGATION ORGANIZATIONS.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03614

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

FEB 25 2009

NAME AND ADDRESS: UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE, ID 83706-1234

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER

QUANTITY: 493161.00 AFY

TOTAL RESERVOIR CAPACITY IS 493,161 ACRE FEET WHEN FILLED TO
ELEVATION 4196.0 FEET AND MEASURED AT THE UPSTREAM FACE OF THE
DAM.

PRIORITY DATE: 12/09/1940

POINT OF DIVERSION: T01S R08E S01 LOT 4 (NWSE) Within Elmore County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	487961.00 AFY
Irrigation from Storage	03-15 TO 11-15	487961.00 AFY
Industrial Storage	01-01 TO 12-31	5200.00 AFY
Industrial from Storage	01-01 TO 12-31	5200.00 AFY
Power Storage	01-01 TO 12-31	493161.00 AFY
Power from Storage	01-01 TO 12-31	493161.00 AFY
Municipal Storage	01-01 TO 12-31	5200.00 AFY
Municipal from Storage	01-01 TO 12-31	5200.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED
FOR THIS RIGHT.
493,161 ACRE-Feet FOR POWER THAT CAN BE GENERATED BY THE RELEASE
OF 487,961 ACRE-Feet OF WATER FOR IRRIGATION AND 5,200 ACRE-Feet
FOR INDUSTRIAL AND MUNICIPAL PURPOSES.

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT
WITHIN ADA, CANYON, ELMORE COUNTIES, IDAHO AND MALHEUR COUNTY
OREGON (BIG BEND IRRIGATION DISTRICT).

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

THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE
BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS SECTIONS OF
THIS PARTIAL DECREE. HOWEVER, AS A MATTER OF IDAHO CONSTITUTIONAL
AND STATUTORY LAW, TITLE TO THE USE OF THE WATER IS HELD BY THE
CONSUMERS OR USERS OF THE WATER. THE IRRIGATION ORGANIZATIONS
ACT ON BEHALF OF THE CONSUMERS OR USERS TO ADMINISTER THE USE OF
THE WATER FOR THE LANDOWNERS IN THE QUANTITIES AND/OR PERCENTAGES
SPECIFIED IN THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND
THE IRRIGATION ORGANIZATIONS FOR THE BENEFIT OF THE LANDOWNERS
ENTITLED TO RECEIVE DISTRIBUTION OF THIS WATER FROM THE
RESPECTIVE IRRIGATION ORGANIZATIONS. THE INTEREST OF THE
CONSUMERS OR USERS OF THE WATER IS APPURTENANT TO THE LANDS

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

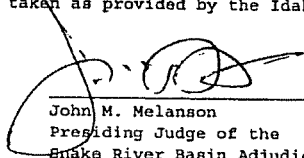
OTHER PROVISIONS (continued)

WITHIN THE BOUNDARIES OF OR SERVED BY SUCH IRRIGATION ORGANIZATIONS, AND THAT INTEREST IS DERIVED FROM LAW AND IS NOT BASED EXCLUSIVELY ON THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND THE IRRIGATION ORGANIZATIONS.

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

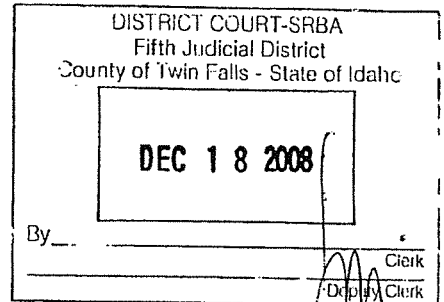
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-03618



NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE, ID 83706-1234

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 293050.00 AFY

Maximum Volume Annually Diverted to Storage and Release from
Storage: 293,050.0 AF.
The reservoir storage capacity is 293,050 acre feet when filled
to elevation 3055.0 and measured at the upstream face of the
dam.
Lucky Peak Reservoir has 13,950 acre feet of capacity for flood
control purposes in addition to the volume of water authorized
for storage under this right.

PRIORITY DATE: 04/12/1963

POINT OF DIVERSION: T02N R03E S11 LOT 7 (SENE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	111950.00 AFY
	Irrigation from Storage	03-01 TO 11-15	111950.00 AFY
	Recreation Storage	01-01 TO 12-31	28800.00 AFY
	Streamflow Maintenance Storage	01-01 TO 12-31	152300.00 AFY
	Streamflow Maintenance from Sto	01-01 TO 12-31	152300.00 AFY

PLACE OF USE:

Section	Lot	Direction	County
T02N R03E S11	LOT 4	(NENE)	Within Ada County
	S12	NWNW	NESR
	R04E S04	SWSW	SWSW
	S05 LOT 8	(SWNE)	LOT 6 (SNNW)
		NESE	NWSE
		SWSE	SESE
	S06	SWNE	NESW
	LOT 8	(SWSW)	LOT 9 (SESW)
	LOT 6	(NESE)	NWSE
	LOT 11	(SESE)	
S07		NWNE	SWNE
	LOT 1	(NENW)	SENE
		NESW	LOT 4 (NWSW)
		NWSE	
T03N R04E S05		SENE	Within Boise County
	S11	SENE	LOT 1 (NESE)
	S12	SNNW	LOT 1 (NWSW)
	S22 LOT 3	(NENW)	Within Elmore County
	SENE	SNNW	
S32 LOT 1	(NWNE)	Within Ada County	
	LOT 5	(NWSE)	SWNE
LOT 5		LOT 10 (SWSE)	
Recreation Storage			Within Ada County

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Same as Irrigation Storage	
Streamflow Maintenance Storage	Within Ada County
Same as Irrigation Storage	
Irrigation Storage	Within Ada County
Lucky Peak Reservoir	
Streamflow Maintenance from Storate	Within Ada County
Within the Channel of the Boise River from Lucky Peak Dam	
downstream to the confluence with the Snake River.	
The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, Payette, and Gem Counties, Idaho; Malheur County, Oregon; and the above-listed tracks in Ada, Boise, and Elmore Counties, Idaho.	

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

Recreation Storage (inactive storage) shall not be released from storage for a beneficial use.

The name of the United States of America Acting Through the Bureau of Reclamation appears in the Name and Address Section of this Partial Decree. However, as a matter of Idaho constitutional and statutory law, title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

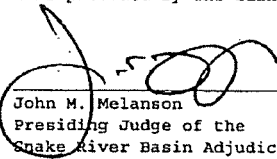
The storage rights in Lucky Peak Reservoir are subject to the flood evacuation provisions which supplement irrigation storage contracts held in Anderson Ranch and Arrowrock Reservoirs as defined by supplemental contracts with the Bureau of Reclamation. This acknowledgement relieves the right holder from seeking a temporary change in purpose of use to meet these obligations. The Bureau of Reclamation and Idaho Department of Fish and Game shall provide joint written instructions to the Department, for conveyance to the watermaster, regarding release of the Lucky Peak streamflow maintenance storage water.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED SB

2003 APR 24 PM 2 24

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

) Subcases: See Exhibit A
)
)

) FINAL ORDER DISALLOWING
) WATER RIGHT CLAIMS
)

On September 30, 2002, the Idaho Department of Water Resources filed its *Director's Report for Irrigation & Other Uses, Reporting Area 13, IDWR Basin 63(Part 1)* recommending that the water right claims listed on Exhibit A be dismissed. No objections were filed to these recommendations and the time for filing objections has expired.

THEREFORE IT IS ORDERED AND ADJUDGED that the water right claims listed on Exhibit A are hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

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.

DATED April 24, 2003.

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

63-00117
63-02112
63-02221
63-02336A
63-02852
63-02923
63-03377
63-03500A
63-04004B
63-04005G
63-04005M
63-04073
63-04127
63-04174A
63-04278A
63-04327
63-04523
63-04629B
63-05033
63-05047A
63-05261
63-05262
63-05263
63-07819A
63-09123
63-09270
63-09377
63-09959A
63-10043
63-10262
63-10280
63-10336
63-15089
63-15205
63-15324
63-15350
63-15424
63-19154
63-19778
63-21967
63-22196
63-24041
63-24042
63-24096
63-30354
63-31491

(Subcase list: 63DIS)
4/24/03

CERTIFICATE OF MAILING

I certify that a true and correct copy of the FINAL ORDER
DISALLOWING WATER RIGHT CLAIMS was mailed on April 21, 2003,
with sufficient first-class postage to the following:

ROYAL CREST INVESTMENT
CORPORATION
7080 SORENSON
BOISE, ID 83709
Phone: 208-362-2027

WOMYNS COMMUNITY PRODUCTIONS
INC
DBA PINE CREEK RANCH
PO BOX 8874
BOISE, ID 83707
Phone: 208-385-9468

CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS
REAL ESTATE DIVISION
50 E N TEMPLE ST, 12TH FL
SALT LAKE CITY, UT 84150-0012
Phone: 801-240-3840

JAMES E SAYKO JR
KAREN M SAYKO
BOX 65
ATLANTA, ID 83601

ATLANTA WATER ASSN
C/O DAVID LAKE
PO BOX 84
ATLANTA, ID 83601
Phone: 208-463-1388

BAKERS ACRES ASSN INC
C/O MARLENE J MC COY
600 N 9TH E
MOUNTAIN HOME, ID 83647
Phone: 208-587-8517

CLAIRE A AUDETTE
FLOYD E AUDETTE
HC 33 BOX 4023
BOISE, ID 83706

JOHN J DELANEY
LINDA DELANEY
HC 87 BOX 480
FEATHERVILLE, ID 83647
Phone: 208-653-2250

GARY WOOD
HC33 BOX 5600
NEW CENTERVILLE, ID 83631

CITY OF IDAHO CITY
PO BOX 130
IDAHO CITY, ID 83631
Phone: 208-392-4584

TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM, ID 83340
Phone: 208-726-7734

LAWRENCE WARNER
PO BOX 2320
SUN VALLEY, ID 83353
Phone: 208-726-5147

A ALEXIA MARESI
PO BOX 369
BELLEVUE, ID 83303
Phone: 208-788-9753

ELK CREEK CORP
PO BOX 401
IDAHO CITY, ID 83631
Phone: 208-392-4911

DAN H DUFFY
PO BOX 420
FEATHERVILLE, ID 83647
Phone: 208-653-2257

KAY L JACKSON
PO BOX 598
IONE, WA 99139

DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050
Phone: 208-334-0200

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

(Certificate of mailing continued)

UNITED STATES OF AMERICA ACTIN
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE, ID 83706-1234
Phone: 208-378-5322

UNITED STATES OF AMERICA ACTIN
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724
Phone: 208-387-0835

LAWRANCE G VIANI
1014 E WRIGHT ST
BOISE, ID 83706
Phone: 208-342-8833

OPEL E OTT
106 EAST 41ST ST
BOISE, ID 83714
Phone: 208-342-5080

ARLEE LEMMON
1205 E 9TH N
MTN HOME, ID 83647
Phone: 208-587-7986

VAL DEAN SCHROEDER
13 BLACKSMITH RD
BOISE, ID 83716
Phone: 208-342-5948

RICHARD CROOKE
1709 E OAK
CALDWELL, ID 83605
Phone: 208-454-3406

GAIL MC GAVIN
18 MC GAVIN LN
BOISE, ID 83716
Phone: 208-343-5840

L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE, ID 83647-9803
Phone: 208-868-3243

LOIS M HUCKSTEP
WILLIAM D HUCKSTEP
200 E 46TH ST
BOISE, ID 83704
Phone: 208-323-0300

LYNN C WATSON
MARY L WATSON
240 PROVIDENT DR
BOISE, ID 83706
Phone: 208-343-3772

EARLE STONE
MARY STONE
275 S 5TH EAST
MOUNTAIN HOME, ID 83647
Phone: 208-586-4243

BART A BRASSEY
DOROTHY M BRASSEY
330 SUMMIT RIDGE RD
BOISE, ID 83702
Phone: 208-343-1042

BARBARA J BELKNAP
H WILLIAM BELKNAP
4370 E AMITY
BOISE, ID 83705
Phone: 208-336-7110

BARBARA J BELKNAP
H WILLIAM BELKNAP
4370 E AMITY RD
BOISE, ID 83705
Phone: 208-336-7110

ROD DANIEL WESTON
4801 HILLSIDE
BOISE, ID 83703
Phone: 208-342-5642

LESLEEN KOBER
488 ALPINE CR
PINE, ID 83647

(Certificate of mailing continued)

CAROL L HOLLINGER
JAY D HOLLINGER
51 DAGGETT CREEK RD
BOISE, ID 83716
Phone: 208-344-6775

KATHY E SCHUKNECHT
LOWELL A SCHUKNECHT JR
5232 HILL RD
BOISE, ID 83703
Phone: 208-343-6586

STEVEN C MAGLECIC
65 CLEAR CREEK DR
MERIDIAN, ID 83642
Phone: 208-887-4872

JOHN MANCERA
KATHY MANCERA
65 RANFT DR
PLACERVILLE, ID 83666
Phone: 208-392-9747

DANIEL M EILERS
7031 BARON AVE
BOISE, ID 83703
Phone: 208-853-2722

DOROTHY D FROGLEY
RALPH F FROGLEY
821 S OWYHEE ST
BOISE, ID 83705-2202
Phone: 208-342-4146

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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT E
to
Affidavit of Scott L. Campbell

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-02927A

2003 MAR 31 PM 4 28

NAME AND ADDRESS: REGIONAL DIRECTOR, PN REGION
REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE, ID 83706-1234

A BENEFICIAL USE OF A PORTION OF THE WATER REPRESENTED HEREBY IS
MADE BY THE LANDOWNERS WITHIN BLACK CANYON IRRIGATION DISTRICT,
EMMETT IRRIGATION DISTRICT, NOBLE DITCH COMPANY, FARMERS
COOPERATIVE IRRIGATION COMPANY, THE LOWER PAYETTE DITCH COMPANY,
AND BY INDIVIDUALS WHO HAVE ENTERED INTO CONTRACT WITH THE UNITED
STATES FOR IRRIGATION WATER FROM THIS STORAGE RESERVOIR. SUCH
BENEFICIAL USE IS SUBJECT TO AND PURSUANT TO CONTRACT WITH THE
UNITED STATES (AS MAY HEREAFTER BE SUPPLEMENTED OR AMENDED) FOR
IRRIGATION AND OTHER PERMITTED PURPOSES AS AUTHORIZED BY LAW
AND CONTRACTS.

SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 697500.00 AFY

TOTAL RESERVOIR CAPACITY IS 700,000 ACRE FEET WHEN FILLED TO
ELEVATION 4828 FEET AND MEASURED AT THE UPSTREAM FACE OF THE DAM.
THIS TOTAL CAPACITY IS EQUAL TO THE COMBINED QUANTITIES OF WATER
RIGHTS 65-02927A AND 65-2927B.

PRIORITY DATE: 12/24/1937

POINT OF DIVERSION: T14N R03E S26 LOT 5 (NENE) Within Valley County
LOT 1 (NENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	697500.00 AFY
	Irrigation from Storage	01-01 TO 12-31	697500.00 AFY
	Power Storage	01-01 TO 12-31	697500.00 AFY
	Power from Storage	01-01 TO 12-31	697500.00 AFY

PLACE OF USE: PLACE OF USE IS WITHIN VALLEY, BOISE, GEM, PAYETTE, WASHINGTON,
CANYON AND ADA COUNTIES.

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).

SREA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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

FILED

2003 MAR 31 PM 4 36

In Re SRBA)
Case No. 39576)PARTIAL DECREE PURSUANT
I.R.C.P. 54(b) FOR

Water Right 65-09483

NAME AND ADDRESS: REGIONAL DIRECTOR, PN REGION
REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE, ID 83706-1234

A BENEFICIAL USE OF A PORTION OF THE WATER REPRESENTED HEREBY IS
MADE BY THE LANDOWNERS WITHIN EMMETT IRRIGATION DISTRICT AND BY
INDIVIDUALS WHO HAVE ENTERED INTO CONTRACTS WITH THE UNITED
STATES FOR IRRIGATION WATER FROM THIS STORAGE RESERVOIR. SUCH
BENEFICIAL USE IS SUBJECT TO AND PURSUANT TO CONTRACT WITH THE
UNITED STATES (AS MAY HEREAFTER BE SUPPLEMENTED OR AMENDED) FOR
IRRIGATION AND OTHER PERMITTED PURPOSES AS AUTHORIZED BY LAW
AND CONTRACTS.

SOURCE: DEADWOOD RIVER TRIBUTARY: PAYETTE RIVER, SOUTH FORK
QUANTITY: 163000.00 AFY

TOTAL RESERVOIR CAPACITY IS 163,000 ACRE FEET WHEN FILLED TO
ELEVATION 5334' AND MEASURED AT THE UPSTREAM FACE OF THE DAM.
TOTAL RESERVOIR CAPACITY IS 700,000 AF WHEN FILLED TO ELEVATION
4828 FEET AND MEASURED AT THE UPSTREAM FACE OF THE DAM. THIS
TOTAL CAPACITY IS EQUAL TO THE COMBINED QUANTITIES OF WATER
RIGHTS 65-2927A AND 65-2927B.

PRIORITY DATE: 12/31/1926

POINT OF DIVERSION: T11N R07E S08 SWSE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	163000.00 AFY
	Irrigation from Storage	04-01 TO 11-01	163000.00 AFY

PLACE OF USE:		
	Irrigation Storage	Within Payette County
	Same as Irrigation from Storage	
		Within Gem County
	Same as Irrigation from Storage	
		Within Boise County
	Same as Irrigation from Storage	
	Irrigation from Storage	Within Payette County
	Same as Irrigation Storage	
		Within Gem County
	Same as Irrigation Storage	
		Within Boise County
	Same as Irrigation Storage	

PLACE OF USE IS WITHIN BOISE, GEM AND PAYETTE COUNTY.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2000 OCT 31 PM 02:00
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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-02278

NAME AND ADDRESS: LAKE RESERVOIR CO
828 CENTER AVE
PAYETTE, ID 83661

SOURCE: BIG PAYETTE LAKE TRIBUTARY: PAYETTE RIVER, NORTH FORK
QUANTITY: 27750.00 AFY
PRIORITY DATE: 02/18/1920
POINT OF DIVERSION: T18N R03E S08 LOT 03 (NESW) Within Valley County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation from Storage	03-15 TO 11-15	27750.00 AFY
Irrigation Storage	01-01 TO 12-31	27750.00 AFY

PLACE OF USE: POINTS OF RE-DIVERSION AND PLACES OF USE ARE THOSE OF EMMETT
IRRIGATION, FARMERS CO-OP, ENTERPRISE, LETHA, NOBLE & LOWER
PAYETTE DITCHES.

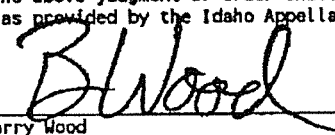
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT SHALL RAISE THE ELEVATION OF BIG PAYETTE LAKE NO
MORE THAN 4989.29 FEET ABOVE MSL, 7.05 FEET GAUGE HEIGHT, NOR
LESS THAN 4983.75 MSL, 1.51 FEET GAUGE HEIGHT.

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 OCT 31 PM 02:00
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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-02918

NAME AND ADDRESS: LAKE RESERVOIR CO
828 CENTER AVE
PAYETTE, ID 83661

SOURCE: UPPER PAYETTE LAKE TRIBUTARY: PAYETTE RIVER, NORTH FORK
QUANTITY: 2400.00 AFY
PRIORITY DATE: 03/23/1927
POINT OF DIVERSION: T21N R03E S36 NESE Within Valley County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation from Storage	03-15 TO 11-15	2400.00 AFY
Irrigation Storage	01-01 TO 12-31	2400.00 AFY

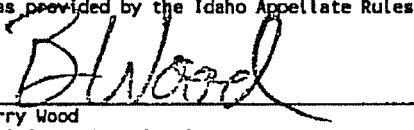
PLACE OF USE:
POINTS OF RE-DIVERSION AND PLACES OF USE ARE THOSE OF EMMETT
IRRIGATION, FARMERS CO-OP, ENTERPRISE, LETHA, NOBLE & LOWER
PAYETTE DITCHES.

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.


Barry Wood
Administrative District Judge
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

PAGE 1
Oct-30-2000

2002 JUN 28 PM 02:00
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-02925

NAME AND ADDRESS: SQUAW CREEK IRRIGATION DISTRICT
P O BOX 15
SWEET, ID 83670

SOURCE: SAGE HEN RESERVOIR TRIBUTARY: SAGE HEN CREEK

QUANTITY: 4000.00 AFY

PRIORITY DATE: 08/30/1934

POINT OF DIVERSION:

T07N R01E S10	NWSW	(Rediversion)	Within Gem County
T08N R01E S15	SESW	(Rediversion)	
S22	SENW	(Rediversion)	
	NENW	(Rediversion)	
	NWSE	(Rediversion)	
	NESE	(Rediversion)	
S27	SWNW	(Rediversion)	
T10N R01E S12	NWSW	(Rediversion)	
	SWNW	(Rediversion)	
S13	NWSW	(Rediversion)	
T11N R01E S01	NWSW	(Rediversion)	
S02	NESE	(Rediversion)	
S15	SENE	(Rediversion)	
S22	NESE	(Rediversion)	
S26	SWSW	(Rediversion)	
T12N R02E S31 LOT 6	(SWSE)	(Rediversion)	
LOT 6	(SWSE)	(Rediversion)	
S34	SESE		

WATER IS REDIVERTED FROM SECOND FORK SQUAW CREEK AND SQUAW
CREEK.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation from Storage	04-01 TO 11-01	4000.00 AFY

PLACE OF USE:

PLACE OF USE IS WITHIN THE BOUNDARIES OF SQUAW CREEK
IRRIGATION DISTRICT.

USE OF THIS RIGHT WITH RIGHT NO. 65-2974 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3725 ACRES IN A SINGLE
IRRIGATION SEASON WITHIN THE BOUNDARIES OF THE SQUAW CREEK
IRRIGATION DISTRICT.

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).

2002 JUN 28 PM 02:00
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-02974

NAME AND ADDRESS: SQUAW CREEK IRRIGATION DISTRICT
P O BOX 15
SWEET, ID 83670

SOURCE: SAGE HEN RESERVOIR TRIBUTARY: SAGE HEN CREEK

QUANTITY: 1000.00 AFY

PRIORITY DATE: 03/16/1962

POINT OF DIVERSION: T07N R01E S10 NWSW Within Gem County
T08N R01E S11 SESE
S22 NENW
NWSW
NESE
SENW
S27 SWNW
T10N R01E S12 NWSW
SWNW
S13 NWSW
T11N R01E S01 NWSW
S02 NESE
S15 SESE
S22 NESE
S26 SWSW
T12N R02E S31 LOT 6 (SWSE)
LOT 6 (SWSE)
S31 SESE

WATER IS REDIVERTED FROM SECOND FORK SQUAW CREEK AND SQUAW
CREEK.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation from Storage 04-01 TO 11-01 1000.00 AFY

PLACE OF USE: PLACE OF USE IS WITHIN THE BOUNDARIES OF SQUAW CREEK IRRIGATION
DISTRICT.
USE OF THIS RIGHT WITH RIGHT NO. 65-2925 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3725 ACRES IN A SINGLE
IRRIGATION SEASON WITHIN THE BOUNDARIES OF THE SQUAW CREEK
IRRIGATION DISTRICT.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT F
to
Affidavit of Scott L. Campbell

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-117	L G DAVISON & SONS INC 1969 PRAIRIE RD PRAIRIE ID 83647-9803	Disallowed	RECOMMENDED AS RIGHT NO. 63-116.
63-303A	FARMERS COOPERATIVE DITCH CO PO BOX 430 PARMA ID 83660	Disallowed	RECOMMENDED AS RIGHT NO. 63-303.
63-2112	L G DAVISON & SONS INC 1969 PRAIRIE RD PRAIRIE ID 83647-9803	Disallowed	FORFEITED/ABANDONED DUE TO NON-USE FROM 1979 TO 1987.
63-2221	L G DAVISON & SONS INC 1969 PRAIRIE RD PRAIRIE ID 83647-9803	Disallowed	FORFEITED/ABANDONED DUE TO NON-USE FROM 1964 TO 1987.
63-2336A	LESLEEN KOBER 488 ALPINE CR PINE ID 83647	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-2852	WOMYNS COMMUNITY PRODUCTIONS INC DBA PINE CREEK RANCH PO BOX 8874 BOISE ID 83707	Disallowed	RECOMMENDED AS RIGHT NO. 63-4138.
63-2923	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS REAL ESTATE DIVISION TWELFTH FLOOR 50 E N TEMPLE ST SALT LAKE CITY UT 84150-0012	Disallowed	FORFEITED/ABANDONED DUE TO NON-USE FROM 1976 TO 1989.
63-3377	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	Disallowed	FORFEITED/ABANDONED DUE TO NON-USE FROM 1959 TO 1987.
63-3500A	KATHY E SCHUKNECHT 5232 HILL RD BOISE ID 83703 LOWELL A SCHUKNECHT JR 5232 HILL RD BOISE ID 83703	Disallowed	RECOMMENDED AS RIGHT NO. 63-3500B.
63-3613A	FARMERS UNION DITCH CO C/O RONALD SCHREINER 2153 N POLLARD LN STAR ID 83669	Disallowed	RECOMMENDED AS RIGHT NO. 63-3613.
63-3614A	PIONEER IRRIGATION DIST PO BOX 426 CALDWELL ID 83605	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-3614B	SETTLERS IRRIGATION DIST PO BOX 7571 BOISE ID 83707	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.
63-3614C	FARMERS UNION DITCH CO C/O RONALD SCHREINER 2153 N POLLARD LN STAR ID 83669	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.
63-3614D	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE ID 83616	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.
63-3614E	BOISE VALLEY IRRIGATION DITCH CO 8750 N BOGART LN BOISE ID 83703	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.
63-3614F	NAMPA MERIDIAN IRRIGATION DIST 1503 1ST ST S NAMPA ID 83651	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.
63-3618A	PIONEER IRRIGATION DIST PO BOX 426 CALDWELL ID 83605	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618B	SETTLERS IRRIGATION DIST PO BOX 7571 BOISE ID 83707	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618C	CANYON COUNTY WATER CO LTD PO BOX 11 STAR ID 83669	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618D	FARMERS UNION DITCH CO C/O RONALD SCHREINER 2153 N POLLARD LN STAR ID 83669	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618E	MIDDLETON IRRIGATION ASSOCIATION PO BOX 214 MIDDLETON ID 83644-0214	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618F	MIDDLETON MILL DITCH CO PO BOX 214 MIDDLETON ID 83644-0214	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618G	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE ID 83616	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-3618H	BOISE VALLEY IRRIGATION DITCH CO 8750 N BOGART LN BOISE ID 83703	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618J	NAMPA MERIDIAN IRRIGATION DIST 1503 1ST ST S NAMPA ID 83651	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618K	SOUTH BOISE WATER CO PO BOX 6005 BOISE ID 83707	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618L	EUREKA WATER CO 6820 W JOPLIN RD MERIDIAN ID 83642	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618M	THURMAN MILL DITCH CO LTD 10611 W TREELINE CT BOISE ID 83713	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618N	EAGLE ISLAND WATER USERS ASSN 1111 S CHANNEL EAGLE ID 83616	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-3618P	BALLANTYNE DITCH COMPANY LTD 170 N SIERRA VIEW WAY EAGLE ID 83616	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-4004B	ELK CREEK CORP PO BOX 401 IDAHO CITY ID 83631	Disallowed	RECOMMENDED AS RIGHT NO. 63-4004A.
63-4005G	LINDA DELANEY HC 87 BOX 480 FEATHERVILLE ID 83647 JOHN J DELANEY HC 87 BOX 480 FEATHERVILLE ID 83647	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-4005M	EARLE STONE 275 S 5TH EAST MOUNTAIN HOME ID 83647 MARY STONE 275 S 5TH EAST MOUNTAIN HOME ID 83647	Disallowed	RECOMMENDED AS RIGHT NO. 63-4005F.
63-4073	CITY OF IDAHO CITY PO BOX 130 IDAHO CITY ID 83631	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-4127	DANIEL M EILERS 7031 BARON AVE BOISE ID 83703	Disallowed	NO BENEFICIAL USE FOUND.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-4174A	OPHEL E OTT 106 EAST 41ST ST BOISE ID 83714	Disallowed	NO BENEFICIAL USE FOUND.
63-4278A	LAWRENCE WARNER PO BOX 2320 SUN VALLEY ID 83353 A ALEXIA MARESI PO BOX 369 BELLEVUE ID 83303	Disallowed	NO BENEFICIAL USE FOUND.
63-4327	TRINITY SPRINGS LTD PO BOX 1630 KETCHUM ID 83340	Disallowed	NO BENEFICIAL USE FOUND.
63-4523	GAIL MC GAVIN 18 MC GAVIN LN BOISE ID 83716	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-4629B	JAY D HOLLINGER 51 DAGGETT CREEK RD BOISE ID 83716 CAROL L HOLLINGER 51 DAGGETT CREEK RD BOISE ID 83716	Disallowed	NO BENEFICIAL USE FOUND.
63-5033	DOROTHY M BRASSEY 330 SUMMIT RIDGE RD BOISE ID 83702 BART A BRASSEY 330 SUMMIT RIDGE RD BOISE ID 83702	Disallowed	RECOMMENDED AS RIGHT NOS. 63-5293 & 63-5294.
63-5047A	JOHN MANCERA 65 RANFT DR PLACERVILLE ID 83666 KATHY MANCERA 65 RANFT DR PLACERVILLE ID 83666	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-5261	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE ID 83706-1234	Disallowed	RECOMMENDED AS RIGHT NO. 63-3614.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-5262	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE ID 83706-1234	Disallowed	RECOMMENDED AS RIGHT NO. 63-303
63-5262A	PIONEER IRRIGATION DIST PO BOX 426 CALDWELL ID 83605	Disallowed	RECOMMENDED AS RIGHT NO. 63-303.
63-5262B	SETTLERS IRRIGATION DIST PO BOX 7571 BOISE ID 83707	Disallowed	RECOMMENDED AS RIGHT NO. 63-303.
63-5262C	NAMPA MERIDIAN IRRIGATION DIST 1503 1ST ST S NAMPA ID 83651	Disallowed	RECOMMENDED AS RIGHT NO. 63-303.
63-5263	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE ID 83706-1234	Disallowed	RECOMMENDED AS RIGHT NO. 63-3618.
63-5337	BOISE CASCADE CORP PO BOX 476 EMMETT ID 83617	Disallowed	NO BENEFICIAL USE FOUND.
63-7819A	STATE OF IDAHO DEPT OF LANDS PO BOX 83720 BOISE ID 83720-0050	Disallowed	RECOMMENDED AS RIGHT NO. 63-7819B.
63-9123	H WILLIAM BELKNAP 4370 E AMITY BOISE ID 83705 BARBARA J BELKNAP 4370 E AMITY BOISE ID 83705	Disallowed	PERMIT CANCELLED.
63-9270	DAN H DUFFY PO BOX 420 FEATHERVILLE ID 83647	Disallowed	PERMIT LAPSED.
63-9377	LAWRANCE G VIANI 1014 E WRIGHT ST BOISE ID 83706	Disallowed	PERMIT LAPSED.
63-9959A	STATE OF IDAHO DEPT OF LANDS PO BOX 83720 BOISE ID 83720-0050	Disallowed	RECOMMENDED AS RIGHT NO. 63-9959B.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-10043	KAY L JACKSON PO BOX 598 IONE WA 99139	Disallowed	PERMIT LAPSED.
63-10262	FLOYD E AUDETTE HC 33 BOX 4023 BOISE ID 83706 CLAIRE A AUDETTE HC 33 BOX 4023 BOISE ID 83706	Disallowed	PERMIT LAPSED.
63-10280	GARY WOOD HC33 BOX 5600 NEW CENTERVILLE ID 83631	Disallowed	PERMIT LAPSED.
63-10336	ATLANTA WATER ASSN C/O DAVID LAKE PO BOX 84 ATLANTA ID 83601	Disallowed	PERMIT LAPSED.
63-15089	STEVEN C MAGLECIC 65 CLEAR CREEK DR MERIDIAN ID 83642	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-15205	VAL DEAN SCHROEDER 13 BLACKSMITH RD BOISE ID 83716	Disallowed	RECOMMENDED AS RIGHT NO. 63-31335.
63-15324	RICHARD CROOKE 1709 E OAK CALDWELL ID 83605	Disallowed	NO BENEFICIAL USE FOUND.
63-15350	LOIS M HUCKSTEP 200 E 46TH ST BOISE ID 83704 WILLIAM D HUCKSTEP 200 E 46TH ST BOISE ID 83704	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-15424	RALPH F FROGLEY 821 S OWYHEE ST BOISE ID 83705-2202 DOROTHY D FROGLEY 821 S OWYHEE ST BOISE ID 83705-2202	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-19154	BAKERS ACRES ASSN INC C/O MARLENE J MC COY 600 N 9TH E MOUNTAIN HOME ID 83647	Disallowed	RECOMMENDED AS RIGHT NO. 63-11070.

09/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-19778	JAMES E SAYKO JR BOX 65 ATLANTA ID 83601 KAREN M SAYKO BOX 65 ATLANTA ID 83601	Disallowed	FORFEITED/ABANDONED DUE TO NON-USE FROM 1979 TO 2001.
63-21967	ARLEE LEMMON 1205 E 9TH N MTN HOME ID 83647	Disallowed	NO BENEFICIAL USE FOUND.
63-22196	DOROTHY D FROGLEY 821 S OWYHEE ST BOISE ID 83705-2202 RALPH F FROGLEY 821 S OWYHEE ST BOISE ID 83705-2202	Disallowed	RECOMMENDED AS RIGHT NO. 63-04323.
63-24041	ROD DANIEL WESTON 4801 HILLSIDE BOISE ID 83703	Disallowed	RECOMMENDED AS RIGHT NO. 63-2336B.
63-24042	ROD DANIEL WESTON 4801 HILLSIDE BOISE ID 83703	Disallowed	RECOMMENDED AS RIGHT NO. 63-2336B.
63-24096	BARBARA J BELKNAP 4370 E AMITY RD BOISE ID 83705 H WILLIAM BELKNAP 4370 E AMITY RD BOISE ID 83705	Disallowed	NO LAWFUL APPROPRIATION SHOWN.
63-30354	ROYAL CREST INVESTMENT CORPORATION 7080 SORENSON BOISE ID 83709	Disallowed	NO BENEFICIAL USE FOUND.
63-31282	CYNTHIA C BYRAM PO BOX 204 GOODING ID 83330 ERLE B BYRAM PO BOX 204 GOODING ID 83330	Disallowed	NO BENEFICIAL USE FOUND.
63-31491	LYNN C WATSON 240 PROVIDENT DR BOISE ID 83706 MARY L WATSON 240 PROVIDENT DR BOISE ID 83706	Disallowed	RECOMMENDED AS RIGHT NO. 63-31492.

Basin-Wide Issue 17
SRBA Subcase No. 00-91017

EXHIBIT G
to
Affidavit of Scott L. Campbell

RECEIVED

JUN 30 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 29 2011	
By _____	Clerk
_____	Deputy Clerk

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

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: 63-00136, 63-00137B
) 63-00200A and 63-00233K
) (Boise Project Board of Control)
)

I.
FINDINGS AND CONCLUSIONS

1. On May 5, 2011, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
2. The above-captioned water rights are for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.
3. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The GIS mapping technology allows the geographic area encompassing the place of use for a

ORDER OF PARTIAL DECREE FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY

Page 1 of 2

EXHIBIT G

water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). *See Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary, filed October 17, 2003.*

**II.
ORDER**

1. Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.
2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original *Partial Decrees*, and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decrees* is intended for illustrative purposes only.
3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED

June 29, 2011



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication



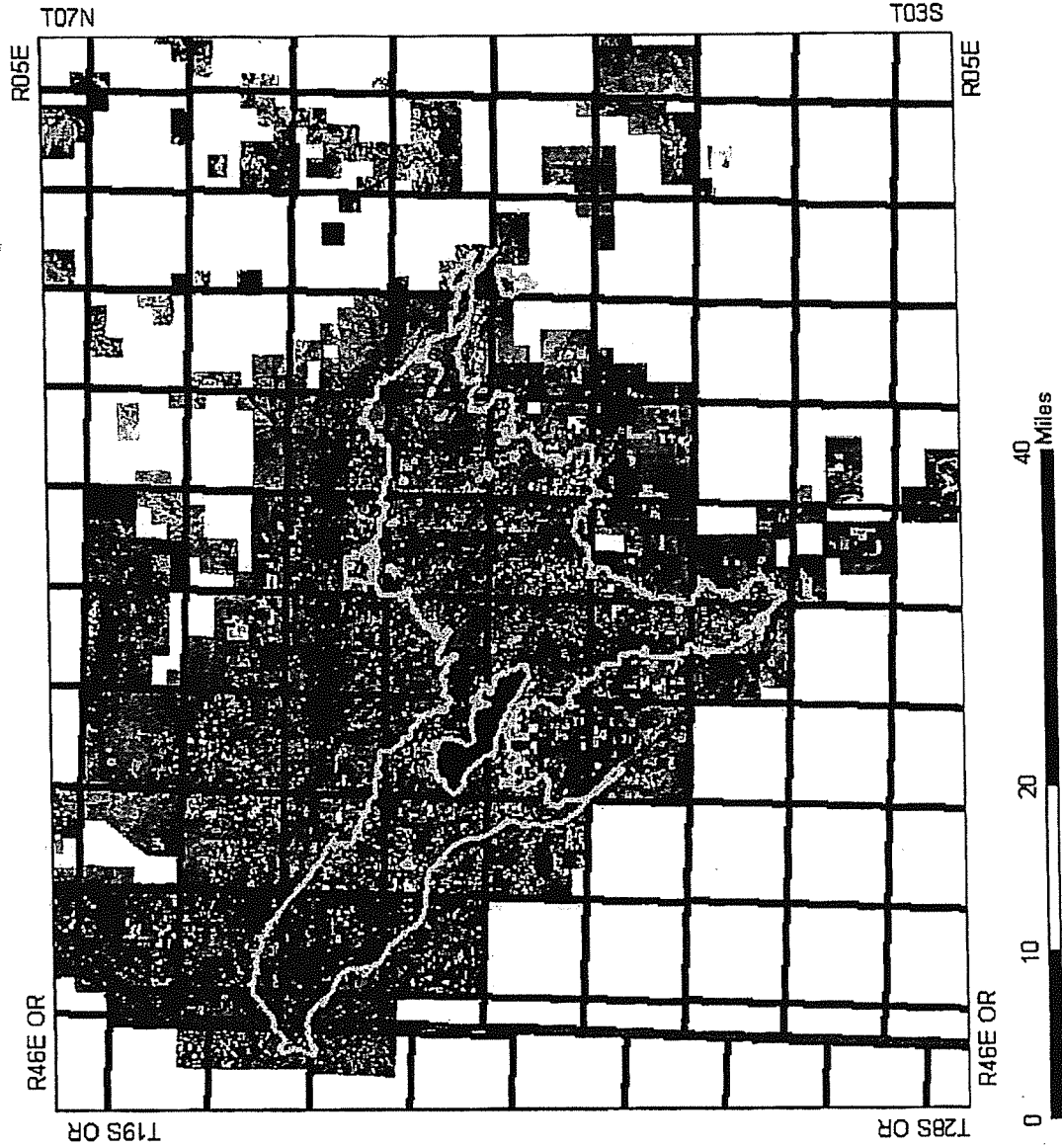
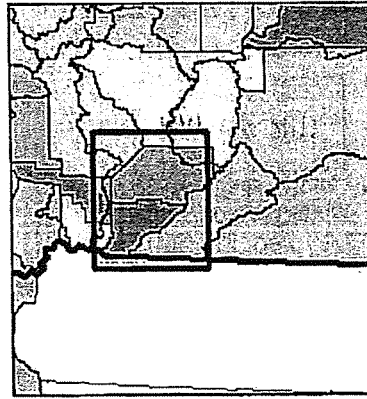
Boise Project Board Of Control

Adjudication Recommendations: 63-136, 63-137 B, 63-200A, 63-233K

Irrigation Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  State Outline
-  Townships



Boise, Canyon, Ada, Malheur Or Counties
IDWR Basin 63

Prepared by Favreau, Danielle
On April 28, 2011
1987/88 Aerial Photography

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 02 2011	
By _____	Clerk
Deputy Clerk	

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 63-00136

NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE, ID 83702-2139

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 20.00 CFS

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 29 2011
By _____ Clerk Deputy Clerk

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 50 percent of their decreed quantities.

PRIORITY DATE: 09/01/1864

POINT OF DIVERSION: T02N R03E S03 LOT 9 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	20.00 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

Place of Use is 167,000 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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.

167000 ACRES TOTAL

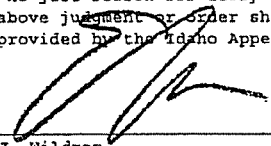
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The name and address of the Boise Project Board of Control appears in the Name and Address section of this partial decree. The Boise Project Board of Control is the operating agent of the Nampa-Meridian Irrigation District, Boise-Kuna Irrigation District, New York Irrigation District, Wilder Irrigation District and Big Bend Irrigation District. Pursuant to Idaho law, this right is appurtenant to the lands within the boundaries of or served by these irrigation districts.

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).

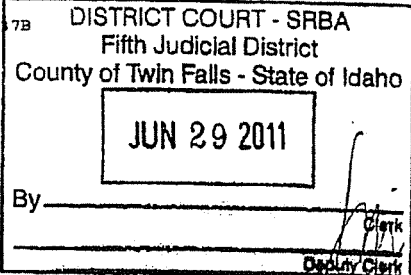
RULE 54(b) CERTIFICATE

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.


Eric J. Wildman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-00137B



NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER RSHOLT
PO BOX 2139
BOISE, ID 83702-2139

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.34 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1869

POINT OF DIVERSION: T03N R03E S03 LOT 9 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.34 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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. Place of Use is 167,000 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

167000 ACRES TOTAL

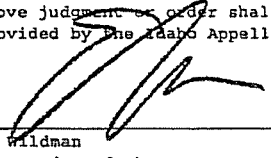
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The name and address of the Boise Project Board of Control appears in the Name and Address section of this partial decree. The Boise Project Board of Control is the operating agent of the Nampa-Meridian Irrigation District, Boise-Kuna Irrigation District, New York Irrigation District, Wilder Irrigation District and Big Bend Irrigation District. Pursuant to Idaho law, this right is appurtenant to the lands within the boundaries of or served by these irrigation districts.

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.

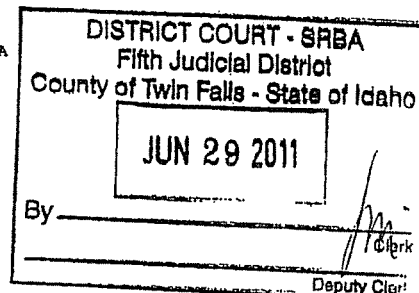

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00200A



NAME AND ADDRESS:

BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE, ID 83702-2139

SOURCE:

BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY:

8.90 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE:

08/20/1888

POINT OF DIVERSION:

T02N R03E S03 LOT 9 (NWSW) Within Ada County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	8.90 CFS
Domestic	01-01 TO 12-31	0.02 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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. Place of Use is 167,000 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

167000 ACRES TOTAL

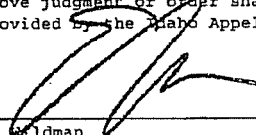
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The name and address of the Boise Project Board of Control appears in the Name and Address section of this partial decree. The Boise Project Board of Control is the operating agent of the Nampa-Meridian Irrigation District, Boise-Kuna Irrigation District, New York Irrigation District, Wilder Irrigation District and Big Bend Irrigation District. Pursuant to Idaho law, this right is appurtenant to the lands within the boundaries of or served by these irrigation districts.

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).

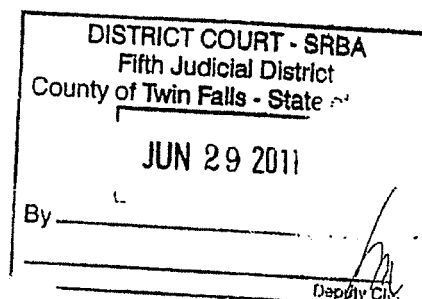
RULE 54(b) CERTIFICATE

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.


Eric J. Waldman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-00233K



NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE, ID 83702-2139

SOURCE: BOISE RIVER TRIBUTARY; SNAKE RIVER

QUANTITY: 1.20 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 10/01/1887

POINT OF DIVERSION: T02N R03E S03 LOT 9 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.20 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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. Place of Use is 167,000 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

167000 ACRES TOTAL

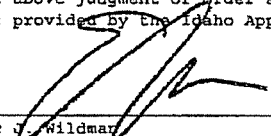
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The name and address of the Boise Project Board of Control appears in the Name and Address section of this partial decree. The Boise Project Board of Control is the operating agent of the Nampa-Meridian Irrigation District, Boise-Kuna Irrigation District, New York Irrigation District, Wilder Irrigation District and Big Bend Irrigation District. Pursuant to Idaho law, this right is appurtenant to the lands within the boundaries of or served by these irrigation districts.

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.


Eric J. Wildmar
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 29, 2011, with sufficient first-class postage to the following:

BOISE PROJECT BOARD OF CONTROL

Represented by:

ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

RAY OBENDORF

Represented by:

DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

UNITED STATES OF AMERICA

Represented by:

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

DIRECTOR OF IDWR

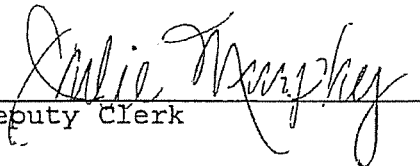
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 6/29/11

FILE COPY FOR 01556

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

RECEIVED

DEC 14 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 DEC 11 PM 1 44

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

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: See Attached Exhibit A
) (Pioneer Irrigation District)
)
)

I.
FINDINGS AND CONCLUSIONS

1. On September 25, 2009, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
2. The above-captioned water right is for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.
3. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The GIS mapping technology allows the geographic area encompassing the place of use for a

water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). See *Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary*, filed October 17, 2003.

**II.
ORDER**

1. Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.
2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original *Partial Decrees*, and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decrees* is intended for illustrative purposes only.
3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED December 11, 2009.


JOHN M. MELANSON
Presiding Judge, pro tem
Snake River Basin Adjudication

PIONEER IRRIGATION DISTRICT

Subcase Nos:

63-00161BU

63-00224

63-00225

63-00294

63-00295

63-00371

(Subcase list: PID-1)
9/25/09

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

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 DEC 11 PM 1 44

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00161BU

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 21.715 CFS

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION: T04N R01E S23 SENW Within Ada County
R01W S24 SENW
R02W S24 NENE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	21.715 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system; provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL

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)(b). 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. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

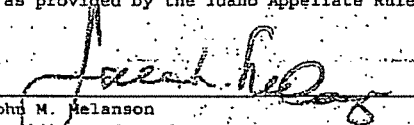
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00224

2009 DEC 11 PM 1 45

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 200.00 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates; and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 09/01/1890

POINT OF DIVERSION: T04N R01E S23 SENW Within Ada County
R01W S24 SENW
R02W S24 NENE Within Canyon County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	200.00 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system; provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

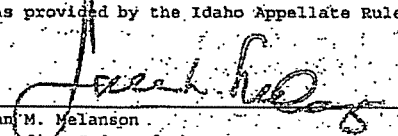
42-1411(2)(b). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00225

FILED
2009 DEC 11 PM 1 45

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 56.34 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION: T04N R01E S23 SENW Within Ada County
R01W S24 SENW
R02W S24 NENE Within Canyon County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-01 TO 11-15 56.34 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system, provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued).

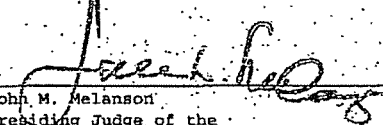
42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

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

SIXTH JUDICIAL DISTRICT - SRBA
TWIN FALLS, CO., IDAHO

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00294

FILED
2009 DEC 11 PM 1 45

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 306.56 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1905

POINT OF DIVERSION: T04N R01E S23 SENW Within Ada County
R01W S24 SENW
R02W S24 NENE Within Canyon County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	306.56 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs; dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system; provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

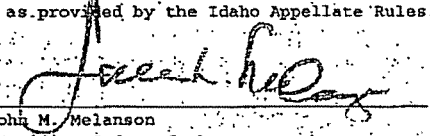
42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

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

DISTRICT COURT SRBA
TETON FALLS CO IDAHO
FILED

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2009 DEC 11 PM 1:45

Water Right 63-00295

NAME AND ADDRESS:

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE:

BOISE RIVER. TRIBUTARY: SNAKE RIVER

QUANTITY:

54.50 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE:

04/01/1908

POINT OF DIVERSION:

T04N R01E S23	SENW	Within Ada County
R01W S24	SENW	
R02W S24	NENE	Within Canyon County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	54.50 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system; provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

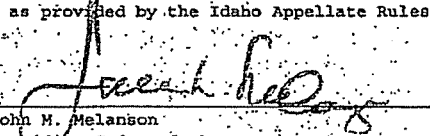
42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

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 63-00371

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 DEC 11 PM 1:45

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 53.10 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: TD4N R01E S23 SENW Within Ada County
R01W S24 SENW
R02W S24 NENE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	53.10 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law with the agreement of all entities having rights in the reservoir system; provided that any such diversion of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

34204.61 ACRES TOTAL
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

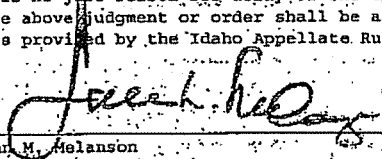
42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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



Pioneer Irrigation District

SRBA Resolution 161 BU, 63-224, 63-225, 63-294, 63-295, 63-371, 63-2114, 63-2275, 63-2276, 63-2294, 63-2891, 63-5199, 63-2200, 63-5213, 63-5237, 63-5255, 63-9109, 63-21706, 63-21713, 63-21731, 63-21739, 63-32514, 63-32515

DEC 19 2006

By

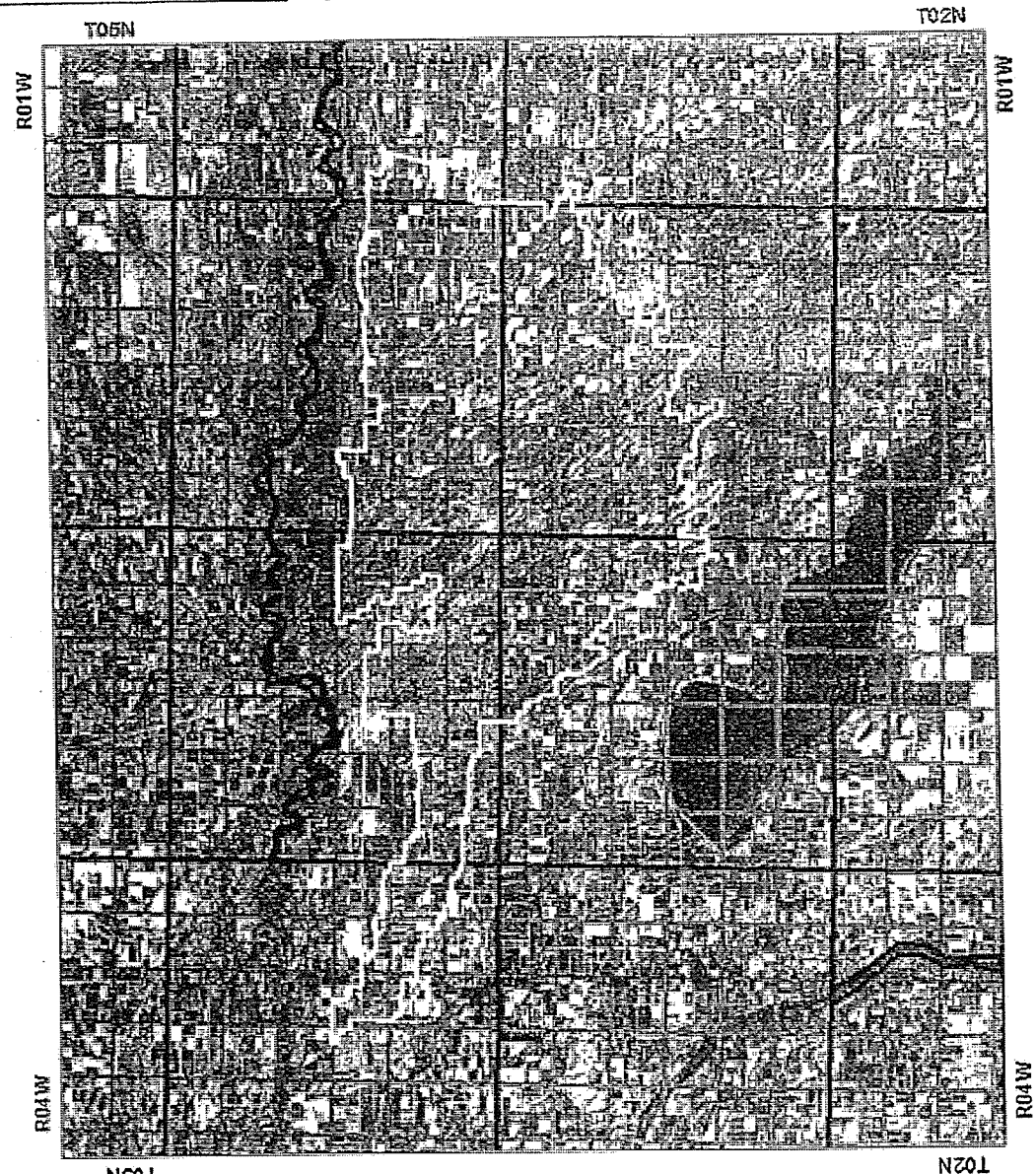
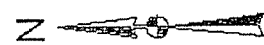
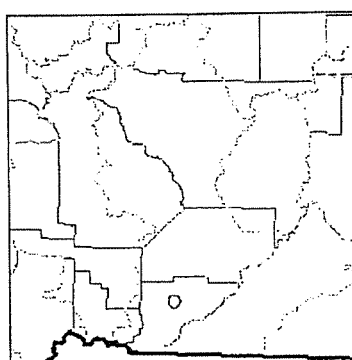
Service Area Boundary
GIS Place of Use Illustration

Legend

Service Area

Townships

PLS Sections

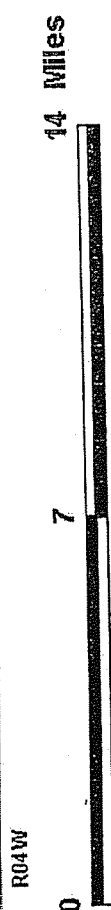


R04W

R01W

T05N

T02N



Canyon County
IDWR Basin 63

Prepared by D. Favreau
On Saturday, December 16, 2006
1987/88 Aerial Photography

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION was mailed on December 11, 2009, with sufficient first-class postage to the following:

PIONEER IRRIGATION DISTRICT

Represented by:

SCOTT L CAMPBELL

101 S CAPITOL BLVD 10TH FLOOR

PO BOX 829

BOISE, ID 83701-0829

Phone: 208-345-2000

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

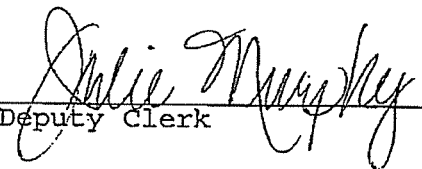
BOISE, ID 83720-0098

ORDER

Page 1 12/11/09

FILE COPY FOR 01530

Deputy Clerk



RECEIVED

JAN 16 2009

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576
DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 15 2009
By _____ Clerk
Deputy Clerk

) ORDER OF PARTIAL DECREE FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)

) For Water Right: 63-00372
) (Boise-Kuna Irr. Dist. / New York Irr.
) Dist.)

I.

FINDINGS AND CONCLUSIONS

1. On December 19, 2006, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Basin 63, Part III, Reporting Area 13, for Irrigation and Other Uses*, which included recommendation(s) for the above-captioned water right(s). The recommendation(s) included descriptions for the place of use element using a "digital boundary" as defined by I.C. § 42-202(B)(2)(2003). No objections to the recommendation(s) was/were filed and the time period for filing objections has now expired.
2. The above-captioned water right(s) is/are for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water right(s) is/are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.
3. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The GIS mapping technology allows the geographic area encompassing the place of use for a water right to be particularly identified and visually displayed in a map overlay format

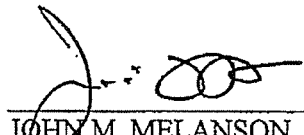
through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). *See Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary, filed October 17, 2003.*

II. ORDER

1. Therefore, IT IS ORDERED that the above-captioned water right(s) is/are hereby decreed as set forth in the attached *Partial Decree(s) Pursuant to I.R.C.P. 54(b)*.
2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original *Partial Decree(s)* and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decree(s)* is intended for illustrative purposes only.
3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

Dated

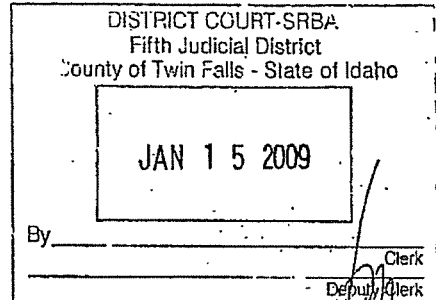
January 15, 2009



JOHN M. MELANSON
Presiding Judge
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-00372



NAME AND ADDRESS: BOISE-KUNA IRRIGATION DISTRICT
209 S SCHOOL AVE
KUNA, ID 83634

NEW YORK IRRIGATION DIST
6616 OVERLAND RD
BOISE, ID 83709

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 58.86 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 03/23/1900

POINT OF DIVERSION: T02N R03E S03 LOT 9 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	58.86 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

This right is limited to the irrigation of 66,335 acres within the boundaries of the New York Irrigation District and the Boise-Kuna Irrigation District.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

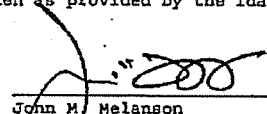
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk 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.

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.

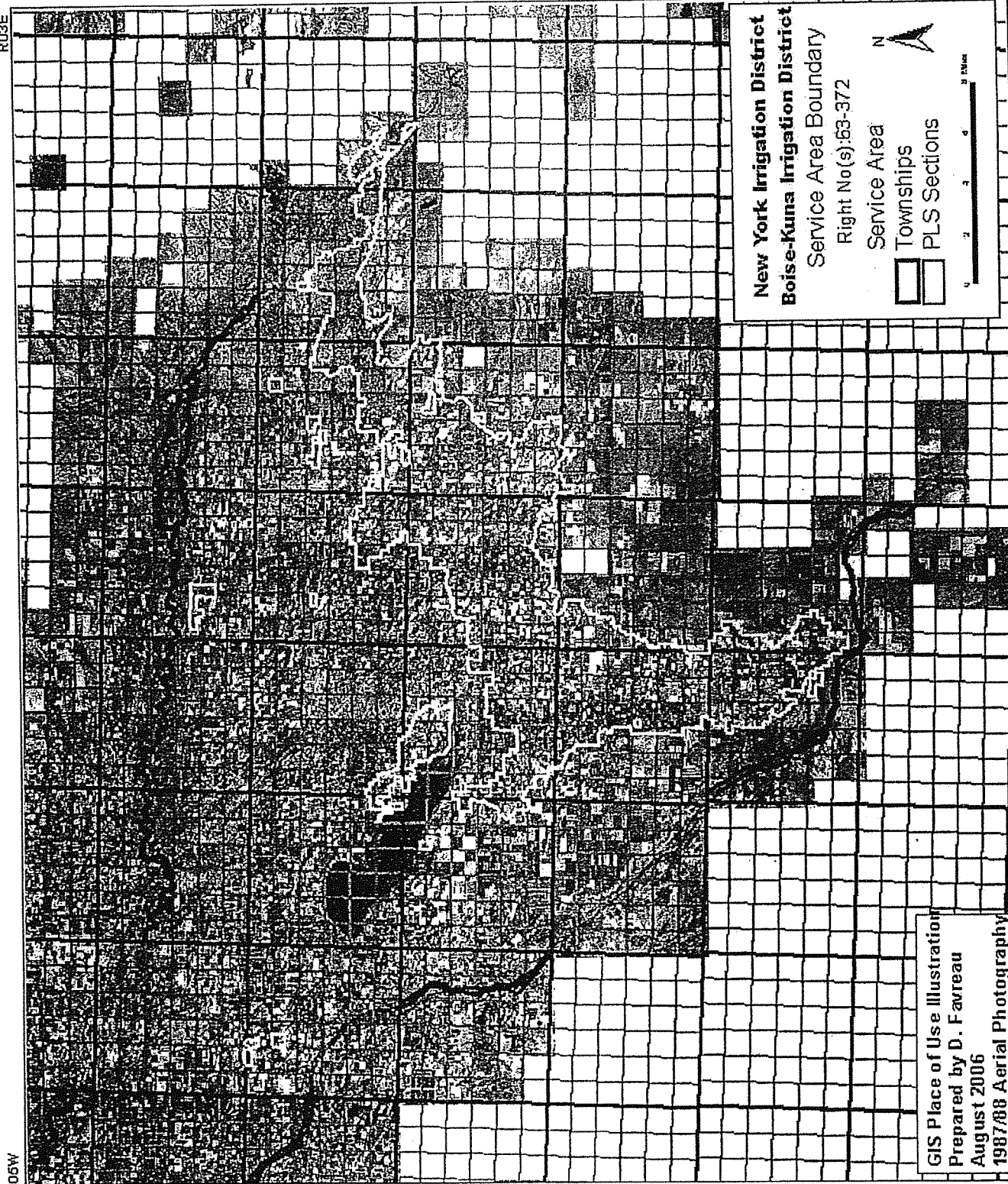

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

T05N

T02S

R03E

R03E



GIS Place of Use Illustration
Prepared by D. Favreau
August 2006
1987/88 Aerial Photography

R05W

R05W

T05N

T02S

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION was mailed on January 15, 2009, with sufficient first-class postage to the following:

NEW YORK IRRIGATION DIST

Represented by:

KENDAL A. MC DEVITT
405 S 8TH ST, STE 202
BOISE, ID 83702
Phone: 208-246-8650

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

BOISE-KUNA IRRIGATION DISTRICT

209 S SCHOOL AVE
KUNA, ID 83634
Phone: 208-922-5608

ORDER

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FILE COPY FOR 01501

Deputy Clerk

Julie Murphy