

AUG 17 2012

DEPARTMENT OF
WATER RESOURCES

In Re SRBA

Case No. 39576

Subcase Nos. 01-02064, 01-10042
(American Falls)

Subcase Nos. 01-02068, 01-10043
(Palisades)

Subcase Nos. 01-4055, 01-10044, 01-10045
(Jackson Lake)

Subcase No. 01-219
(Lake Walcott)

Subcase Nos. 21-2156, 21-10560
(Island Park)

Subcase No. 21-4155 (Grassy Lake)

Subcase No. 25-7004 (Ririe)

IDENTIFICATION OF ISSUES

Remark	Applicable Water Rights
[Upstream Storage—In State] Place of use for storage is [insert name] Reservoir, provided, however, that water under this right may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.	01-2064, 01-10042 (American Falls) 01-2068, 01-10043 (Palisades) 21-2156, 21-10560 (Island Park) 01-219 (Lake Walcott) 25-7004 (Ririe)
[Upstream Storage—Out of State] Storage water referenced herein may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.	01-4055, 01-10044, 01-10045 (Jackson Lake) 21-4155 (Grassy Lake)
[Permanent Exchange] The spaceholder contracts between the United States Bureau of Reclamation (USBR) and Burley Irrigation District and USBR and North Side Canal Company, respectively, provide for a credit of storage from Jackson Lake reservoir under water rights 01-4055, 01-10044, and 01-10045 to space in American Falls reservoir under water rights 01-2064 upon certain conditions. This determination and calculation of credit, if any, shall be made pursuant to contracts entered into with the USBR for space in American Falls and Jackson Lake reservoirs.	01-2064 (American Falls) 01-4055, 01-10044, 01-10045 (Jackson Lake)

[MID Exchange] Minidoka Irrigation District has the right to make annual exchanges of storage and to designate reservoirs for purposes of delivery and carryover of storage, as described in contract no. 14-06-100-1833 entered into with the U.S. Bureau of Reclamation.	01-4055, 01-10044 (Jackson Lake) 01-2064 (American Falls) 01-219 (Lake Walcott) 01-2068 (Palisades)
[2006 Settlement] The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 14, 2006 with Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company, and American Falls Reservoir District #2.	01-2064 (American Falls) 01-10045 (Jackson) 01-2068 (Palisades)

EXHIBIT A

RIGHT NUMBER: 21-2156

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING
THROUGH BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

SOURCE:

Source:
HENRYS FORK

Tributary:
SNAKE RIVER

QUANTITY:

90,000.00 AFY

~~114,000.000 AFY~~

Total reservoir capacity is 135,000 acre feet when filled to elevation 6303 and measured at the upstream face of the dam.

~~Total reservoir capacity is 135,000 acre feet when filled to elevation 6302 and measured at the upstream face of the dam.~~

~~45,000 acre feet of this right is designated as the first to fill as specified in the provisions for winter power operation at the Minidoka powerplant as provided for by Bureau of Reclamation Contract No. 14-06-100-1833, incorporated by reference in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).~~

PRIORITY DATE: 03/14/1935

POINT OF DIVERSION:

T13N R43E S28 Lot 3
Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION STORAGE	01/01 12/31	<u>90,000.00 AFY</u>
		114,000.00 AFY
IRRIGATION FROM STORAGE	<u>04/01 10/31</u>	<u>90,000.00 AFY</u>
	04/01 11/01	114,000.00 AFY

PLACE OF USE:

Place of use for irrigation from storage is within the boundary of Fremont Madison Irrigation District pursuant to Section 43-323, Idaho Code.

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

Place of use for irrigation storage is Island Park Reservoir, provided, however, that water under this right may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will

maximize the storage of water upstream of Milner Dam.

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.

~~Place of use for irrigation from storage is within the following counties: Fremont, Teton, and Madison.~~

~~Place of use for irrigation storage is Island Park Reservoir.~~

~~Place of use does not include federal public lands~~

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.

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.

~~Although 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, the ownership of this water right is divided. The United States Bureau of Reclamation holds nominal legal title. Beneficial or equitable title to this water right is held in trust by the irrigation organizations, 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 pursuant to Idaho law. As a matter of law, this interest is appurtenant to the lands within the boundaries of or served by such irrigation organization. The ownership of this water right is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.~~

EXHIBIT B

RIGHT NUMBER: 21-10560

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING
THROUGH BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

SOURCE:

Source:
HENRYS FORK

Tributary:
SNAKE RIVER

QUANTITY:

45,000.000 AFY

21,000.000 AFY

Total reservoir capacity is 135,000 acre feet when filled to elevation 6303 and measured at the upstream face of the dam.

~~Total reservoir capacity is 135,000 acre feet when filled to elevation 6302 and measured at the upstream face of the dam.~~

PRIORITY DATE: ~~06/12/1940~~ 03/29/1921

POINT OF DIVERSION:

T13N R43E S28 Lot 3
Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION STORAGE	01/01 12/31	<u>45,000.00 AFY</u>
		<u>21,000.00 AFY</u>
IRRIGATION FROM STORAGE	04/01 10/31	<u>45,000.00 AFY</u>
		<u>21,000.00 AFY</u>

PLACE OF USE:

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

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.

Place of use for irrigation storage is Island Park Reservoir, provided, however, that water under this right may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

Place of use for irrigation from storage is within the boundary of Fremont Madison Irrigation District pursuant to Section 43-323, Idaho Code.

~~Place of use for irrigation from storage is within the following counties: Fremont, Teton, and Madison.~~

~~Place of use for irrigation storage is Island Park Reservoir.~~

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.

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.

~~Although 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, the ownership of this water right is divided. The United States Bureau of Reclamation holds nominal legal title. Beneficial or equitable title to this water right is held in trust by the irrigation organizations, 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 pursuant to Idaho law. As a matter of law, this interest is appurtenant to the lands within the boundaries of or served by such irrigation organization. The ownership of this water right is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use License

This right is designated as the first to fill as specified in the provisions for winter power operation at the Minidoka powerplant as provided for by Bureau of Reclamation Contract No. 14-06-100-1833 incorporated by reference in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).

This right is a combination of all of former right no. 21-2157 and 24,000 acre-feet of right no. 21-2156.

EXHIBIT C

RIGHT NUMBER: 21-4155

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

SOURCE: CASCADE CREEK
GRASSY SPRING

TRIBUTARY: FALL RIVER
TRIBUTARY: FALLS RIVER

QUANTITY: 15,204.00 AFY

The quantity for this water right represents the maximum quantity of storage water that may be put to beneficial use under this right after the storage released from Grassy Lake enters the state of Idaho must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

PRIORITY DATE: 02/13/1936

The priority date for this water right represents the priority associated with the storage water put to beneficial use under this right after storage released from Grassy Lake enters the state of Idaho must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

POINT OF
DIVERSION:

T09N R46E S17 NESW Lot 3 Within FREMONT County

~~T09N R46E S17 NESW Lot 3 Within FREMONT County~~

~~The point of diversion for this water right is in Teton County, Wyoming, lot 4 ssw, sec. 8, T. 48N, R. 116W, 6th PM.~~

The point of diversion shown above is where the conveyance system enters Idaho, recognizing, however, the storage water is physically stored in and released from Grassy Lake which is located within the state of Wyoming.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	15,204.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	15,204.00 AFY

PLACE OF USE:

Place of use for irrigation from storage is within the following counties: Fremont, Madison, and Teton boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code.

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

This water right is also recorded as Wyoming Certificated Water Right No. P4136 R.

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.

The storage of water for irrigation purposes occurs within the state of Wyoming pursuant to the laws of that state and consistent with federal law, which provides for the operation of the Minidoka Project consistent with existing federal law and contracts entered into between spaceholders and the United States.

Storage water referenced herein may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

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.

~~Although 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, the ownership of this water right is divided. The United States Bureau of Reclamation holds nominal legal title. Beneficial or equitable title to this water right is held in trust by the irrigation organizations, 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 pursuant to Idaho law. As a matter of law, this interest is appurtenant to the lands within the boundaries of or served by such irrigation organization. The ownership of this water right is derived from law and organization. The ownership of this water right is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~Place of use is within the boundaries of Fremont-Madison Irrigation District.~~

EXHIBIT D

RIGHT NUMBER: 1-4055

NAME AND ADDRESS:

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

SOURCE:

Source:

SNAKE RIVER

Tributary:

COLUMBIA RIVER

QUANTITY:

~~299,000.000 AFY~~ 298,981.00 AFY

The quantity for this water right represents the maximum quantity of storage water that may be put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

PRIORITY DATE:

08/23/1906

The priority date for this water right represents the priority associated with the storage water put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. listing of this element is for informational purposes only.

POINT OF DIVERSION:

T03S R46E S10 SWNE
Within BONNEVILLE County

The point of diversion shown above is where the Snake River enters the state of Idaho, recognizing, however, the storage water is physically stored in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

~~The point of diversion is at the outlet of Jackson Lake Reservoir Dam.~~

~~The point of diversion for this water right is in Wyoming, T46N, R114W, S18, SESW, P.M.~~

The point of diversion shown above is where the Snake River enters Idaho, recognizing, however, the storage water is physically in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

~~IRRIGATION STORAGE 01/01 12/31 299,000.00 AFY~~

IRRIGATION FROM STORAGE 03/15 11/15 ~~299,000.000 AFY~~ 298,981.00 AFY

PLACE OF USE:

Place of use for irrigation from storage is within the following counties:
Fremont, Madison, Jefferson, Bonneville, Bingham, Bannock, Power, Minidoka,
Cassia, Lincoln, Jerome, Twin Falls, Gooding, and Elmore.

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

~~This water right is also recorded as The State of Wyoming Certificate of Construction of Reservoir, Certificate No. R-6, Permit No. 894 Res.~~

The storage of water for irrigation purposes occurs within the state of Wyoming pursuant to laws of that state and consistent with federal law, which provides for the operation of the Minidoka Project consistent with existing federal law and contracts entered into between spaceholders and the United States.

Storage water referenced herein may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

The spaceholder contracts between the United States Bureau of Reclamation (USBR) and Burley Irrigation District and USBR and North Side Canal Company, respectively, provide for a credit of storage from Jackson Lake reservoir under water rights 01-4055, 01-10044, and 01-10045 to space in American Falls reservoir under water rights 01-2064 upon certain conditions. This determination and calculation of credit, if any, shall be made pursuant to contracts entered into with the USBR for space in American Falls and Jackson Lake reservoirs.

Minidoka Irrigation District has the right to make annual exchanges of storage and to designate reservoirs for purposes of delivery and carryover of storage, as described in contract no. 14-06-100-1833 entered into with the U.S. Bureau of Reclamation.

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. Section 42-1412(6), Idaho Code.

EXHIBIT E

RIGHT NUMBER: 1-10044

NAME AND ADDRESS:

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

SOURCE:

Source:
SNAKE RIVER

Tributary:

COLUMBIA RIVER

QUANTITY:

~~93,900.000~~ AFY 138,829 AFY

The quantity for this water right represents the maximum quantity of storage water that may be put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

PRIORITY DATE:

08/18/1910

The priority date for this water right represents the priority associated with the storage water put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. listing of this element is for informational purposes only.

POINT OF DIVERSION:

T03S R46E S10 SWNE
Within BONNEVILLE County

The point of diversion shown above is where the Snake River enters the state of Idaho, recognizing, however, the storage water is physically stored in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

~~The point of diversion is at the outlet of Jackson Lake Reservoir Dam.~~

~~The point of diversion for this water right is in Wyoming, T46N, R114W, S18, SESW, P.M.~~

The point of diversion shown above is where the Snake River enters Idaho, recognizing, however, the storage water is physically in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
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IRRIGATION STORAGE	01/01 12/31	93,900.000 AFY
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IRRIGATION FROM STORAGE	03/15 11/15	93,900.000 AFY <u>138,829 AFY</u>
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PLACE OF USE:

Place of use for irrigation from storage is within the following counties:
Fremont, Madison, Jefferson, Bonneville, Bingham, Bannock, Power, Minidoka,
Cassia, Lincoln, Jerome, Twin Falls, Gooding, and Elmore.

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

~~This water right is also recorded as The State of Wyoming Certificate of Construction of Reservoir, Certificate No. R-6, Permit No. 894 Res.~~

The storage of water for irrigation purposes occurs within the state of Wyoming pursuant to laws of that state and consistent with federal law, which provides for the operation of the Minidoka Project consistent with existing federal law and contracts entered into between spaceholders and the United States.

Storage water referenced herein may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

The spaceholder contracts between the United States Bureau of Reclamation (USBR) and Burley Irrigation District and USBR and North Side Canal Company, respectively, provide for a credit of storage from Jackson Lake reservoir under water rights 01-4055, 01-10044, and 01-10045 to space in American Falls reservoir under water rights 01-2064 upon certain conditions. This determination and calculation of credit, if any, shall be made pursuant to contracts entered into with the USBR for space in American Falls and Jackson Lake reservoirs.

Minidoka Irrigation District has the right to make annual exchanges of storage and to designate reservoirs for purposes of delivery and carryover of storage, as described in contract no. 14-06-100-1833 entered into with the U.S. Bureau of Reclamation.

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. Section 42-1412(6), Idaho Code.

EXHIBIT F

RIGHT NUMBER: 1-10045

NAME AND ADDRESS:

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

SOURCE:

Source:
SNAKE RIVER

Tributary:

COLUMBIA RIVER

QUANTITY:

~~100,000.000 AFY~~ 409,190.00 AFY

The quantity for this water right represents the maximum quantity of storage water that may be put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

PRIORITY DATE:

05/24/1913

The priority date for this water right represents the priority associated with the storage water put to beneficial use under this right after storage released from Jackson Lake Reservoir enters the state of Idaho. listing of this element is for informational purposes only.

POINT OF DIVERSION:

T03S R46E S10 SWNE
Within BONNEVILLE County

The point of diversion shown above is where the Snake River enters the state of Idaho, recognizing, however, the storage water is physically stored in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

The point of diversion is at the outlet of Jackson Lake Reservoir Dam.

The point of diversion for this water right is in Wyoming, T46N, R114W, S18, SESW, P.M.

The point of diversion shown above is where the Snake River enters Idaho, recognizing, however, the storage water is physically in and released from Jackson Lake Reservoir which is located within the state of Wyoming.

PURPOSE AND
PERIOD OF USE:

Purpose of use Period of use: Quantity:

~~IRRIGATION STORAGE~~ ~~01/01 12/31~~ ~~100,000.000 AFY~~

IRRIGATION FROM STORAGE 03/15 11/15 ~~100,000.000 AFY~~ 409,190.00 AFY

PLACE OF USE:

Place of use for irrigation from storage is within the following counties:
Fremont, Madison, Jefferson, Bonneville, Bingham, Bannock, Power, Minidoka,
Cassia, Lincoln, Jerome, Twin Falls, Gooding, and Elmore.

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

~~This water right is also recorded as The State of Wyoming Certificate of Construction of Reservoir, Certificate No. R-6, Permit No. 894 Res.~~

The storage of water for irrigation purposes occurs within the state of Wyoming pursuant to laws of that state and consistent with federal law, which provides for the operation of the Minidoka Project consistent with existing federal law and contracts entered into between spaceholders and the United States.

Storage water referenced herein may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Water District 01 Watermaster, the Water District 01 advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

The spaceholder contracts between the United States Bureau of Reclamation (USBR) and Burley Irrigation District and USBR and North Side Canal Company, respectively, provide for a credit of storage from Jackson Lake reservoir under water rights 01-4055, 01-10044, and 01-10045 to space in American Falls reservoir under water rights 01-2064 upon certain conditions. This determination and calculation of credit, if any, shall be made pursuant to contracts entered into with the USBR for space in American Falls and Jackson Lake reservoirs.

The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 14, 2006 with Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company, and American Falls Reservoir District #2.

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. Section 42-1412(6), Idaho Code.

CERTIFICATE OF SERVICE

I certify that on August 15, 2012, I served true and correct copies of the foregoing IDENTIFICATION OF ISSUES as follows:

Via Hand Delivery:

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Twin Falls, ID 83303-2707
Phone: 208-736-3011

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A handwritten signature in black ink, appearing to read 'T. Thompson', is written over a horizontal line.

Travis L. Thompson