

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED AN ERROR IN THE SRBA PARTIAL DECREES OF THE WATER RIGHTS LISTED BELOW. IDWR REQUESTS THE COURT TO DETERMINE IF IT CAN CORRECT THE ERROR THROUGH ITS NORMAL NOTICE AND HEARING PROCESS, AND IF SO, TO CORRECT THE ERROR ACCORDINGLY. BY COPY OF THIS FORM IDWR IS ALSO NOTIFYING THE OWNER OF THE WATER RIGHT OF THE ERROR IN QUESTION.

WATER RIGHT NOs. 01-75, 01-76, 01-312, 01-368, 01-369, 01-370

NAME OF OWNER LISTED ON THE PARTIAL DECREE: Idaho Irrigation Dist.

CURRENT OWNER (IF DIFFERENT) _____

TODAY'S DATE: June 27, 2013

An error exists in the description of the following element(s) of the partial decree:

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and/or Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**-- Error involves total acre number only. The total number of acres for these rights are missing.

Should be: 35995 ACRES TOTAL

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

Standard Form 5's (SF5's) were filed for rights 01-75, 01-76, 01-312, 01-368, 01-369, and 01-370 in April of 2007. Copies of the recommendations from the SF5s are attached, and all contain a "35995 ACRES TOTAL" notation under the Place Of Use (POU) element. A Special Master Report was issued on the rights in April 2007, and the rights moved to partial decrees in July of 2007. IDWR staff has recently discovered the partial decrees do not contain the "35995 ACRES TOTAL" language originally recommended. IDWR requests the correction of the POU element of the partial decrees to include the "35995 ACRES TOTAL" notation. Copies of the SMR and the partial decrees are enclosed for the Court's convenience.

The addition of the acres total number will have no impact on the digital boundary CDs or maps originally provided to the Court.

For more information about the error the Court and/or water right holder should contact the person identified below.

CONTACT PERSON: Meghan Carter
TELEPHONE NUMBER: 208-287-4810
E-MAIL ADDRESS: meghan.carter@idwr.idaho.gov
MAILING ADDRESS: IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

Corrected recommendations of the water rights are attached.

CERTIFICATE OF SERVICE

I certify that on June 27, 2013, I caused to be served true and correct copies of this REQUEST FOR CORRECTION OF ERROR, to the following persons, in the manner indicated 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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

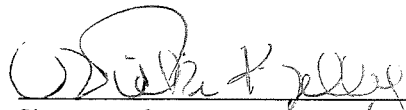
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

3. Copy to the Owner:

IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-75

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 300.000 CFS

PRIORITY DATE: 08/13/1888

POINT OF

DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

300.000 CFS

PLACE OF USE:

35995 ACRES TOTAL

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-75

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 300.000 CFS

PRIORITY DATE: 08/13/1888

POINT OF
DIVERSION:

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

300.000 CFS

PLACE OF USE:

35995 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-76

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 700.000 CFS

PRIORITY DATE: 05/11/1889

POINT OF

DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

700.000 CFS

PLACE OF USE:

35995 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)(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 is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-76

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA FANZER SEC
496 E 14TH
IDAHO FALLS ID 83404

EMC

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 700.000 CFS

JB
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PRIORITY DATE: 05/11/1889

POINT OF
DIVERSION:

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

700.000 CFS

PLACE OF USE:

st

35995 ACRES TOTAL

Place of Use does not include Federal lands unless authorized in writing.
Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation
District a canal easement over Ririe Outlet Channel.

Place of use is within the boundary of Idaho Irrigation District pursuant to
Section 43-323, Idaho Code.

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.

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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: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-312

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 130.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF

DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

130.000 CFS

PLACE OF USE:

35995 ACRES TOTAL

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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:

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Proposed Correction to Partial Decree for 01-312

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-312

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

EMC

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 130.000 CFS

PRIORITY DATE: 04/01/1939

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POINT OF
DIVERSION:

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

130.000 CFS

PLACE OF USE:

35995 ACRES TOTAL

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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.

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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: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

Right includes accomplished change in point of diversion pursuant to Section 43-1425, Idaho Code.

RIGHT NUMBER: 1-368

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 06/01/1922

POINT OF DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	100.000 CFS

PLACE OF USE:

35995 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)(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 is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-368

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

EMC

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

LB

QUANTITY: 100.000 CFS

PRIORITY DATE: 06/01/1922

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POINT OF
DIVERSION:

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

100.000 CFS

PLACE OF USE:

35995 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)(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 does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

~~This right is limited to the irrigation of 35,508 acres within the place of use described above in a single irrigation season.~~

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-369

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 06/01/1932

POINT OF

DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

100.000 CFS

PLACE OF USE:

35995 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)(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 does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Idaho Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-369

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

EMC

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 06/01/1932

POINT OF
DIVERSION:

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

100.000 CFS

PLACE OF USE:

35995 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)(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.

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Place of Use does not include Federal lands unless authorized in writing. Agreement DAW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

~~This right is limited to the irrigation of 35,508 acres within the place of use described above in a single irrigation season.~~

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Idaho Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-370

NAME AND ADDRESS: IDAHO IRRIGATION DISTRICT
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 06/01/1936

POINT OF

DIVERSION: T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

100.000 CFS

PLACE OF USE:

35995 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)(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.

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The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Idaho Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Proposed Correction to Partial Decree for 01-370

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-370

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

EMC

W

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

43

PRIORITY DATE: 06/01/1936

POINT OF
DIVERSION:

T04N R37E S36 NESW1/4 Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

100.000 CFS

K

PLACE OF USE:

35995 ACRES TOTAL

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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 is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

~~This right is limited to the irrigation of 35,508 acres within the place of use described above in a single irrigation season.~~

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Idaho Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

RECEIVED

APR 25 2007

DEPARTMENT OF
WATER RESOURCES

2007 APR 25 PM 12:00

LISTED
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA) Subcases 01-75, 01-76, 01-312,
Case No. 39576) 01-368, 01-369 and 01-370
) (Idaho Irrigation District)
)
) SPECIAL MASTER REPORT

Findings of Fact

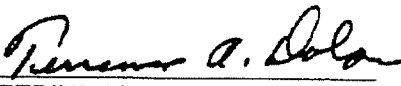
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Lower Basin 01* on May 15, 2006. The Director recommended claims 01-75, 01-76, 01-312, 01-368, 01-369 and 01-370 to the Idaho Irrigation District, c/o Sonja Tawzer, secretary, 496 E. 14th, Idaho Falls, Idaho, 83404, for between 100 cfs and 700 cfs from the Snake River to irrigate 35,995 acres within the Idaho Irrigation District boundary in Jefferson County from April 1 to October 31 with priority dates between August 13, 1888, and June 1, 1936, based on a decree.

On October 5, 2006, the United States of America, Department of Interior, Bureau of Reclamation filed *Objections* objecting to place of use. On April 19, 2007, the District and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to add place of use remarks.

Conclusions of Law

The Idaho Irrigation District is entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 01-75, 01-76, 01-312, 01-368, 01-369 and 01-370*.

DATED April 25, 2007.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

2007 APR 25 PM 12:00

Water Right 01-00075

DISTRICT OF ST. SEBA
TWIN FALLS CO., IDAHO
FILED

PAGE 1
Apr-24-2007

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 01-00076

2007 APR 25 PM 12:00

FILED
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 700.00 CFS

PRIORITY DATE: 05/11/1989

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	700.00 CFS

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 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 within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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.

RECOMMENDATION

APR 25 2007

[Signature]
SPECIAL MASTER

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

2007 APR 25 PM 12:00

LISTED IN THE T-SRBA
TWIN FALLS CO., IDAHO
FILED

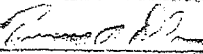
PAGE 1
APR-24-2007

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RECOMMENDATION

APR 25 2007


SPECIAL MASTER

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
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 01-00368

2007 APR 25 PM 12:00

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/01/1922

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

PLACE OF USE:

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. 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 does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel. The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. combined Right Nos.: 1-368, 1-369, and 1-370.

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

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

APR 25 2007

James A. R.
SPECIAL MASTER

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 01-00369

2007 APR 25 PM 12:00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/01/1932

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

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 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 within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel. The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. Combined Right Nos.: 1-368, 1-369, and 1-370.

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

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

APR 25 2007

Thomas A. R2
SPECIAL MASTER

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 01-00370

2007 APR 25 PM 12:00

DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/01/1936

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

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 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 within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

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

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

APR 25 2007

[Signature]
SPECIAL MASTER

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

2007 APR 25 PM 12:00

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

)
)
)
)

CERTIFICATE OF MAILING

Case No. 39576

Water Right(s): 01-00075

01-00076 01-00312 01-00368

01-00369 01-00370

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 25, 2007, with sufficient first-class postage prepaid to the following:

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

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1
04/25/07

2007 APR 25 PM 12:00

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

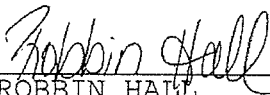
Water Right(s): 01-00075
01-00076 01-00312 01-00368
01-00369 01-00370

On April 25, 2007, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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

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

DATED April 25, 2007.



ROBBIN HALL
Deputy Clerk

RECEIVED

JUL 18 2007

DEPARTMENT OF
WATER RESOURCES

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

2007 JUL 17 AM 9 19

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: 01-00075, 01-00076, 01-00312,
) 01-00368, 01-00369 and 01-00370
) (Idaho Irrigation District)
)

I.
FINDINGS AND CONCLUSIONS

1. On April 25, 2007, 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 July 12, 2007.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

DISTRICT OF THE COURT - 023A
WIN FALLS
WIN FALLS CO., IDAHO
FILED

2007 JUL 17 AM 9 19

PAGE 1
Apr-24-2007

DISTRICT OF THE COURT - SRBA
 TWIN FALLS
 TWIN FALLS CO., IDAHO
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DISTRICT OF THE COURT - SRBA
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 TWIN FALLS CO., IDAHO
 FILED
 2007 JUL 17 PM 9 19

PAGE 1
Apr-24-2007

DISTRICT OF THE
OF TWIN FALLS CO., IDAHO

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

FILED _____
2007 JUL 17 AM 9 19

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 130.00 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	130.00 CFS

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 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 within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

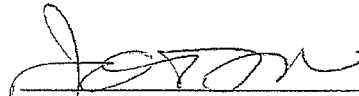
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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,
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 01-00368

FILED
2007 JUL 17 PM 9 19

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TANZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/01/1922

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

PLACE OF USE:

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. 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 does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel. The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season. combined Right Nos.: 1-368, 1-369, and 1-370.

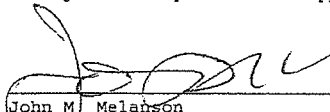
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



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

DISTRICT OF THE
TWIN FALLS CO. IDAHO

FILED _____
2007 JUL 17 AM 9 19

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

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Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code.

Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

The rights listed below are limited to the irrigation of a combined total of 35,508 acres in a single irrigation season.

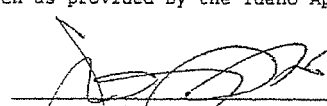
Combined Right Nos.: 1-368, 1-369, and 1-370.

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Apr-24-2007

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

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

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 01-00370

FILED
2007 JUL 17 AM 9 19

NAME AND ADDRESS: IDAHO IRRIGATION DIST
C/O SONJA TANZER SEC
496 E 14TH
IDAHO FALLS, ID 83404

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/01/1936

POINT OF DIVERSION: T04N R37E S36 LOT 2 (NESWNW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

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 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 within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code. Place of Use does not include Federal lands unless authorized in writing. Agreement DACW68-2-78-47 dated 08/02/1978 provides Idaho Irrigation District a canal easement over Ririe Outlet Channel.

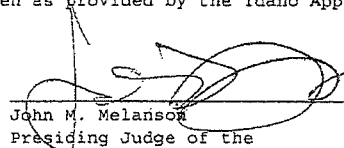
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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

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 July 17, 2007, with sufficient first-class postage to the following:

USDI BUREAU OF RECLAMATION

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

IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS, ID 83404
Phone: 208-522-2356

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

ORDER

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FILE COPY FOR 00059

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".