

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

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: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 93,990.00 AFY

The quantity for this water right 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 must be determined by the state of Wyoming. The listing of this element is for informational purposes only.

POINT OF  
DIVERSION:

T03S R46E S10 SWNE Within BONNEVILLE County

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

The point of diversion for this water right is in Wyoming, T45N, R114W, S18, SESW, P.M.

The point of diversion shown above is where the Snake River enters Idaho.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION FROM STORAGE | 03/15 11/15          | 93,990.00 AFY   |
| IRRIGATION STORAGE      | 01/01 12/31          | 93,990.00 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 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.

This water right is also recorded as The State of Wyoming Certificate of Construction of Reservoir, Certificate No. R-6, Permit No.1903 Res.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WHEREAS, U. S. Department of the Interior  
Bureau of Reclamation  
the Enlargement Jackson Lake Reservoir, Permit No. 1903  
has presented to the State Board of Control of the State of Wyoming, proof of construction of  
Reservoir, Permit No. 1903  
Res., located in SEE ATTACHED TABULATION  
Section

Enlargement Jackson Lake  
County, Wyoming; and  
Outlet: SEISMIC Sec. 18-45-114

Whereas, the proof of construction sets forth that said reservoir has been completed in accordance with the terms of said permit to a capacity sufficient to impound  
93,990 acre-feet of water; and that the source of the quantity of water authorized to be stored in the Enlargement Jackson Lake  
Reservoir is obtained from Snake River  
the reservoir is located, and on which

Snake River  
through which

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has by an order duly made and entered on the 13th  
day of August, A. D. 1971, in Order Record No. 19, Page 77, determined the priority and capacity of said reservoir as follows:

Name of Owner Bureau of Reclamation  
U. S. Department of the Interior  
; Address Box 8008, Boise, Idaho, Wyoming;

Date of Priority August 18, 1910  
Total available storage capacity in the Enlargement Jackson Lake  
Reservoir, as constructed  
under provisions of Permit No. 1903 Res., is 93,990 acre-feet.  
93,990 acre-feet under this enlargement. Total including  
original Permit No. 894 Reservoir is 392,990 acre-feet.

The right to store water is limited to such an amount as shall be beneficially used, not to exceed one filling annually of said reservoir, for irrigation  
usc.

IN TESTIMONY WHEREOF, I, FLOYD A. BISHOP  
13th day of August, A. D. 1971, and caused the seal of said Board to be hereunto affixed.  
President of the State Board of Control, have hereunto set my hand this

ATTEST:  
George J. Christensen  
Ex-Officio Secretary.  
Recorded 9-10 71 2:35  
in Book 18 p 106  
No. 11837  
11. Adam Lane  
100  
Walter A. Christensen  
President.

|            |   |
|------------|---|
| RECORDED   | ✓ |
| COMPARSED  | ✓ |
| INDEXED    | ✓ |
| ABSTRACTED | ✓ |

Proof No. 29876  
Certificate Record No. R-6 Page 105

\* Whereas, the proof of construction sets forth that said reservoir has been completed in accordance with the terms of said permit to a capacity sufficient to impound \_\_\_\_\_ acre-feet of water; and that the source of the quantity of water authorized to be stored in the \_\_\_\_\_ Enlargement Jackson Lake \_\_\_\_\_ 93,990-----

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has by an order duly made and entered on the 13th day of August, A. D. 1971, in Order Record No. 19, Page 77, determined the priority and capacity of said reservoir as follows:

Date of Priority August 18, 1910 ; Total available storage capacity in the Enlargement Jackson Lake Reservoir, as constructed  
under provisions of Permit No. 1903 Res. is 93,990 acre-feet. 93,990 acre-feet under this enlargement. Total including  
original Permit No. 894 Reservoir is 392,990 acre-feet.

The right to store water is limited to such an amount as shall be beneficially used, not to exceed one filling annually of said reservoir, for irrigation

IN TESTIMONY WHEREOF, I, FLOYD A. BISHOP, President of the State Board of Control, have hereunto set my hand this 13th day of August, A. D. 19 71, and caused the seal of said Board to be hereunto affixed.

ATTEST:  
*George J. Christensen*  
Ex-officio Secretary.

*Wood R. B. B. B.*  
President

11/6/2006

From: Ernie Carlsen

RE: Analysis of 01-4055, 01-10045 and 01-10044

These three claims filed by the BOR have a basis of beneficial use with the source of Jackson Lake Reservoir and the Snake River with the dam at Palisades Reservoir as the point of diversion. The claims list irrigation storage as the purpose of use with a combined total of 920,000 AF; stating this is the average total yield of the watershed upstream from the Wyoming Idaho state line.

The claims seem to seek rights for all the water in the Snake River at the state line consisting of both storage releases from Jackson Lake Reservoir and natural flow from tributaries to the Snake River below Jackson Lake Reservoir. The narratives in the claims also references bank storage and second fill from Jackson Lake Reservoir. To the extent BOR captures the natural flow on the Snake River system for storage in Palisades and American Falls Reservoirs it has obtained water rights issued by Idaho. If storage in Jackson Lake Reservoir is greater than Wyoming water rights authorize that issue is beyond the jurisdiction of the SRBA.

Claim 01-4055 also lists 1,415,000 AF for power generation, which is the maximum-recorded yield of the Snake River watershed in Wyoming recorded at the state line. For the purpose of power generation the BOR is entitled to a water right with the diversion at Palisades Dam. The use of water for this purpose is being recommended as 01-4054.

Though all the water in the Snake River flowing from Wyoming into Idaho does pass through Palisades Dam, during the irrigation season this natural flow is allocated to fill water rights below the reservoir and is captured for storage. Other than power generation the BOR does not put this water to beneficial use. I fail to see justification for favorably recommending these three claims.

01-4055  
01-10045  
01-10044

SCANNED  
MAY 23 2007

A01-10044  
(see-02064)

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

RECEIVED  
MAY 10 1993  
Department of Water Resources  
State of Idaho

|                                    |   |                       |
|------------------------------------|---|-----------------------|
| IN THE MATTER OF APPLICATIONS FOR  | ) |                       |
| TRANSFER NOS. 3883, 3884, AND 3885 | ) | ORDER SETTING         |
| IN THE NAME OF THE UNITED STATES   | ) | PREHEARING CONFERENCE |
| BUREAU OF RECLAMATION              | ) | AND                   |
|                                    | ) | GRANTING INTERVENTION |
|                                    | ) |                       |
|                                    | ) |                       |

On November 22, 1991, the United States of America, acting through the Regional Director of the Pacific Northwest Region, Bureau of Reclamation (Bureau), filed three separate applications for transfer of water rights with the Idaho Department of Water Resources (Department). The transfer applications will be processed by the Department in accordance with the summary of procedure included in Attachment A to this order. The Bureau transfers and the corresponding Bureau water rights and Snake River Basin Adjudication claims are listed in Attachment B.

The Department has received a total of 555 timely protests to the transfers. The protests are filed against one, two, or all three of the above referenced transfer applications. Of the 555 timely protests 29 are by organizations, six by private individuals, 26 are form-letter protests filed by individuals with Payette River interests, and the remaining 494 were form-letter protests filed by individuals within the Wilder, Boise-Kuna, Nampa-Meridian, New York and Settlers Irrigation Districts on the Boise River. The five irrigation districts are among the 29 organizations which have filed separate protests. The

SCANNED  
MAY 23 2007

MICROFILMED  
MAR 19 1993



SCANNED

AUG 24 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 15, 2001

UNITED STATES OF AMERICA ACTING THROUGH  
REGIONAL DIRECTOR PN REGION CODE PN - 3100  
BUREAU OF RECLAMATION  
1150 N CURTIS RD STE 100  
BOISE ID 83706-5155

RE: NOTICE OF CHANGE OF ADDRESS

Dear Sir or Madam:

Per your request, I have changed the address on the adjudication numbers listed on the following page.

Water right numbers A29-02262, A29-02306, A29-02307, A29-02310, A29-02341, A29-02567, A29-02568 and A29-02571 do not have Bureau of Reclamation as the current owner. The current owner in our database is Falls Irrigation District. Therefore, these rights have not been changed.

All other water right numbers not listed above or on the following page will be processed by our other regions and mailed to you at a later date.

If you have any questions feel free to contact this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen  
Records Clerk  
Eastern Region

Enclosure (1)

|            |            |
|------------|------------|
| A01-00211A | A21-04155  |
| A01-00214A | A21-04156  |
| A01-00217  | A21-04157  |
| A01-00218  | A21-10560  |
| A01-00219  | A21-10601  |
| A01-00284  | A22-07022  |
| A01-02016  | A22-07062  |
| A01-02040  | A23-04073  |
| A01-02060  | A23-10062  |
| A01-02061  | A25-07004  |
| A01-02064  | A25-07135  |
| A01-02068  | A25-07201  |
| A01-04024  | A25-12222  |
| A01-04025  | A25-12223  |
| A01-04046  | A25-12224  |
| A01-04047  | A25-12225  |
| A01-04048  | A25-12226  |
| A01-04049  | A25-12227  |
| A01-04050  | A25-12228  |
| A01-04051  | A25-12229  |
| A01-04052  | A25-12231  |
| A01-04053  | A25-12234  |
| A01-04054  | A25-12236  |
| A01-04055  | A29-02380  |
| A01-04056  | A29-02614A |
| A01-04057  | A29-10045  |
| A01-04060  | A29-10046  |
| A01-10034  | A29-10047  |
| A01-10042  | A35-10358  |
| A01-10043  |            |
| A01-10044  |            |
| A01-10045  |            |
| A01-10053  |            |
| A21-00024  |            |
| A21-00026  |            |
| A21-00027  |            |
| A21-00120  |            |
| A21-00121  |            |
| A21-00122  |            |
| A21-00123  |            |
| A21-00124  |            |
| A21-00125  |            |
| A21-00126  |            |
| A21-02156  |            |

RECEIVED

CHANGE IN ADDRESS

JUN 15 2001

This form is solely for purposes of notifying IDWR of a <sup>Department of Water Resources</sup> ~~Change of~~ address of an adjudication claim. <sub>Eastern Region</sub>

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

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

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

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

[X] Signature of Claimant: Alana S. Walton

[X] Date: 6/14/01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Contact ID#  
22796

AUG 24 1989

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A01-10044  
Date Received: 3/01/1989  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

**RECEIVED**  
JUL 07 1989

Department of Water Resources **NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1161  
Address: REGIONAL DIRECTOR, P.N. REGION  
BUREAU OF RECLAMATION  
BOX 043-550 WEST FORT STREET  
BOISE, ID 83724



2. Date of Priority: AUG 18, 1910

3. Source: JACKSON LAKE RESERVOIR Trib. to: SNAKE RIVER  
SNAKE RIVER COLUMBIA RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |            |
|----------|-------|---------|--------|--------|-----|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
| 01S      | 45E   | 17      | NW     | NE     |     |     | BONNEVILLE |

5. Description of diverting works:  
JACKSON LAKE DAM

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A.    |
|-------------------------|-------|-------|-------|------|-----------|
| IRRIGATION STORAGE      | 01/01 | 12/31 |       |      | 138829.00 |
| IRRIGATION FROM STORAGE | 04/01 | 11/01 |       |      | 138829.00 |

7. Total Quantity Appropriated is:  
C.F.S. (and/or) 138829.00 A.F.A.

8. Total consumptive use is 138829.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
POWER AND DOMESTIC - DE MINIMUS DOMESTIC USE

MICROFILMED  
JUL 23 1989

10. Place of Use:

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

11. Place of use in counties:

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

13. Other Water Rights Used:

01-04055, 01-10045, R-670/01-02068, R269/01-02064

14. Remarks:

MULTI-YEAR STORAGE FACILITY  
 WYOMING PERMITS DATED: 8/23/19096, 4/1/1907, 8/18/1910, 5/1/1912, 5/24/1913, AND 4/1/1917  
 P/U 761,061 ACRES WITHIN MINIDOKA PROJECT  
 JACKSON LAKE SPACEHOLDERS (8/18/1910 PRIORITY)  
 ABERDEEN-SPRINGFIELD CANAL CO. \_\_\_\_\_ ACRE-FEET 23,664  
 ANDRUS, RAY JR. \_\_\_\_\_ 35  
 BLACKFOOT IRRIGATION CO. \_\_\_\_\_ 2,337  
 BURGESS CANAL AND IRRIGATING CO. \_\_\_\_\_ 3,362  
 BUTTE AND MARKET LAKE CANAL CO. \_\_\_\_\_ 855  
 CLEMENT BROTHERS AND OWNERS MUTUAL \_\_\_\_\_ 126  
 CORBETT SLOUGH DITCH CO. \_\_\_\_\_ 622  
 DILTS IRRIGATION COMPANY, LTD. \_\_\_\_\_ 162  
 ENTERPRISE CANAL COMPANY, LTD. \_\_\_\_\_ 3,568  
 ENTERPRISE IRRIGATION DISTRICT \_\_\_\_\_ 1,865  
 FARMERS FRIEND IRRIGATION CO., LTD. \_\_\_\_\_ 634  
 HARRISON CANAL AND IRRIGATION CO. \_\_\_\_\_ 3,787  
 IDAHO IRRIGATION DISTRICT \_\_\_\_\_ 4,195  
 LENROOT CANAL COMPANY \_\_\_\_\_ 1,660  
 LOWDER SLOUGH CANAL CO., LTD. \_\_\_\_\_ 330  
 MARTIN CANAL COMPANY \_\_\_\_\_ 843  
 MINIDOKA IRRIGATION DISTRICT \_\_\_\_\_ 58,990  
 NEW SWEDEN AND WEST SIDE MUTUAL \_\_\_\_\_ 6,297  
 PEOPLES CANAL AND IRRIGATION CO. \_\_\_\_\_ 6,458  
 POPLAR IRRIGATION DISTRICT \_\_\_\_\_ 504  
 PROGRESSIVE IRRIGATION DISTRICT \_\_\_\_\_ 2,286  
 RUDY IRRIGATION CANAL COMPANY \_\_\_\_\_ 1,119  
 SNAKE RIVER VALLEY IRRIGATION DISTRICT \_\_\_\_\_ 9,584  
 SUNNYDELL IRRIGATION DISTRICT \_\_\_\_\_ 1,268  
 THE REID CANAL COMPANY \_\_\_\_\_ 467  
 TREGO DITCH COMPANY \_\_\_\_\_ 240  
 UTAH-IDAHO SUGAR CO. (OSGOOD) \_\_\_\_\_ 2,464  
 WOODVILLE CANAL COMPANY \_\_\_\_\_ 1,107  
 SUMMARY STATEMENT  
 ACTIVE CAPACITY \_\_\_\_\_ 847,000 ACRE FEET  
 INACTIVE CAPACITY \_\_\_\_\_ 0  
 DEAD STORAGE \_\_\_\_\_ 0

14. Remarks: Continued

TOTAL SURFACE AREA \_\_\_\_\_ 25,540 ACRES AT ELEVATION 6769.0

BANK STORAGE \_\_\_\_\_ UNKNOWN

TOTAL RESERVOIR CAPACITY \_\_\_\_\_ 847,000 ACRE FEET

THE STORAGE RESERVOIR IN THE STATE OF WYOMING, CONTROLS THE TIMING OF FLOWS REACH IDAHO AT THE BORDER, DELIVERIES MADE TO LANDS IN IDAHO, FLOWS PASS THROUGH PALISADES RESERVOIR AND POWERPLANT. STORAGE RELEASES AND DELIVERIES OF STORAGE WATER FROM JACKSON LAKE RESERVOIR, ARE WATERS APPROPRIATED FOR THE MINIDOKA PROJECT DELIVERED THROUGH WATER DISTRICT 01. BUREAU OF RECLAMATION IS RESPONSIBLE FOR ACCOUNTING.

TOTAL OF THE FOLLOWING CLAIMS IS 920,000 ACRE FEET:

A01-04055 - PRIORITY DATE 08/23/1906 - 371981

A01-10044 - PRIORITY DATE 09/18/1910 - 138829

A01-10045 - PRIORITY DATE 05/24/1913 - 409190

TOTAL CLAIMED AT THE STATE LINE (920,000 ACRE FEET) IS AVERAGE TOTAL YIELD OF THE WATERSHED.

TOTAL OF WYOMING PERMITS IS 838,000 ACRE FEET.

TOTAL CAPACITY OF THE RESERVOIR (847,000 ACRE FEET) AS A RESULT OF RESURVEY.

15. Basis of Claim: STATUTORY CLAIM