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JUL 22 2019

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**AMENDED**

In Re SRBA

Case No. 39576

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

Water Right 63-03618

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

JUL 19 2019

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

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

SOURCE:

BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY:

293050.00 AFY

Maximum Volume Annually Diverted to Storage and Release from
Storage: 293,050.0 AF.The reservoir storage capacity is 293,050 acre feet when filled
to elevation 3055.0 and measured at the upstream face of the
dam.Lucky Peak Reservoir has 13,950 acre feet of capacity for flood
control purposes in addition to the volume of water authorized
for storage under this right.Water right nos. 63-303, 63-3613, 63-3614, 63-3618, 63-33734A,
and 63-33734B are limited to the total combined annual diversion
volume necessary to allocate a total of 1,044,011 acre-feet of
storage water per year to the consumers or users of the storage
water.

PRIORITY DATE:

04/12/1963

POINT OF DIVERSION:

T02N R03E S11 LOT 7 (SENE) Within Ada County

PURPOSE AND

PERIOD OF USE:

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

PLACE OF USE:

Irrigation from Storage		Within Ada County	
T02N R03E S11 LOT 4	(NENE)	NESE	
S12	NWNW	SWSW	
R04E S04	SWSW		
S05 LOT 8	(SWNE)	LOT 6 (SWNW)	
	NESE	NWSE	
	SWSE	SESE	
S06	SWNE	NESW	
LOT 8	(SWSW)	LOT 9 (SESW)	
LOT 6	(NESE)	NWSE	
LOT 11	(SESE)		
S07	NWNE	SWNE	
LOT 1	(NENW)	SENW	
	NESW	LOT 4 (NWSW)	
	NWSE		
T03N R04E S05		Within Boise County	
S11	SENE	LOT 1 (NESE)	
S12	SWNW	LOT 1 (NWSW)	
S22 LOT 3	(NENW)	Within Elmore County	
	SENW	SWNW	

PLACE OF USE (continued)

	Within Ada County
	SWNE
S32 LOT 1 (NWNE)	
LOT 5 (NWSE)	LOT 10 (SWSE)
Recreation Storage	Within Ada County
Same as Irrigation Storage	
Streamflow Maintenance Storage	Within Ada County
Same as Irrigation Storage	
Irrigation Storage	Within Ada County
Lucky Peak Reservoir	
Streamflow Maintenance from Storate	Within Ada County
Wtinin the Channel of the Boise River from Lucky Peak Dam	
downstream to the confluence with the Snake River.	
The place of use is within the Boise Federal Reclamation Project	
within Ada, Canyon, Payette, and Gem Counties, Idahp; Malheur	
County, Oregon; and the above-listed tracks in Ada, Boise, and	
Elmore Counties, Idaho.	

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

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

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

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

The annual time period for accruing natural flow to the on-stream reservoir storage water rights in IDWR Administrative Basin 63 will be determined by the Watermaster as supervised by the Director of the Department of Water Resources; provided, however, the annual time period will begin (1) after the day of allocation and when there is no natural flow available to water rights junior in priority to January 12, 1911, and (2) before natural flow has again become available to water rights junior in priority to January 12, 1911, or on November 1, whichever is earlier.

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

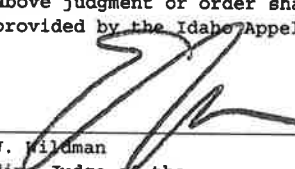
SRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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



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

