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DEPARTMENT OF
WATER RESOURCES

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

AMENDED

In Re SRBA

Case No. 39576

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

Water Right 63-03613

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:

15000.00 AFY

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.

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

PRIORITY DATE:

06/25/1938

POINT OF DIVERSION:

T03N R04E S13 LOT 5 (SWNE) Within Boise County
LOT 7 (NWSE)

PURPOSE AND

PERIOD OF USE:

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

PLACE OF USE:

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

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

THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE
BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS 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 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,

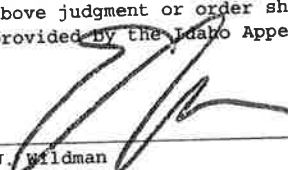
OTHER PROVISIONS (continued)

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 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