

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-00214A

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

OCT 31 2012

By _____

Clerk

Deputy Clerk

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

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1000.00 CFS

The diversions under this right and Right No. 1-214B shall not exceed 1000 cfs. If the demands of Burley Irrigation District and the United States Department of the Interior, Bureau of Reclamation, for and on behalf of the North Side Division of the Minidoka Project (Minidoka Irrigation District) for diversions under this right and Right No. 1-214B exceed 1000 cfs or the flows then available under these rights, the right to divert water under this right by the Bureau of Reclamation will be reduced to meet the demands of Burley Irrigation District for water under this right, but the right under such condition shall not be reduced to less than 62% of the flows then available under this right and Right No. 1-214B.

The rights listed below are limited to a total combined diversion rate of 1460 cfs from the point of diversion located at T09S R25E S1 SESW. Combined Right Nos.: 1-211B, 1-214B, and 1-7 (Burley Irrigation District); and Right Nos. 1-211A, 1-214A, and 1-8 (Minidoka Irrigation District).

PRIORITY DATE: 08/06/1908

POINT OF DIVERSION: T09S R25E S01 LOT 3 (SENW) Within Minidoka County
SESW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1000.00 CFS

PLACE OF USE: 75093 ACRES TOTAL

Place of use is within the boundary of Minidoka 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. Use of the rights listed below is limited to the irrigation of a combined total of 75,093 acres in a single irrigation season. Combined Right Nos.: 1-8, 1-211A, and 1-214A.

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 sections

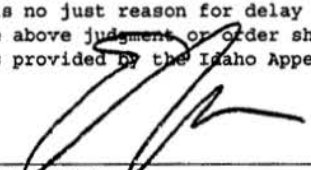
OTHER PROVISIONS (continued)

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 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.

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

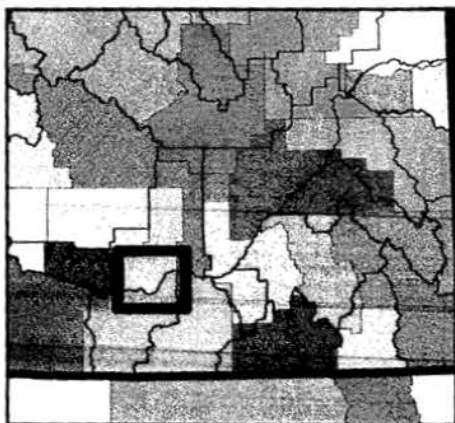


United States Of America Acting Through BOR

Adjudication Recommendations: 1-211A, 1-214A

Irrigation Service Area Boundary
GIS Place of Use Illustration

- Service Area
-  State Outline
 -  Townships
 -  PLS Sections



**Cassia, Minidoka Counties
IDWR Basin 1**

Prepared by Favreau, Danielle
On June 29, 2012
1987/88 Aerial Photography

