

See Note at End of Partial Decree and
Attachment 4 to the Final Unified
Decree

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

AUG 13 2014

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

By: _____
Clerk
Deputy Clerk

In re SRBA
Case No. 39576

PARTIAL DECREE FOR
Federal Reserved Water Right 29-00238

1. Name and address of owner: UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11th Avenue
Portland OR 97232
2. Source of Water: Toponce Creek
3. Annual Diversion Volume: 282.5 acre-feet per year (AFY)
4. Diversion Rate: 1.733 CFS
5. Annual Volume of Consumptive Use: 168.14 AFY
6. Priority Date: July 6, 1868
7. Points of Diversion: Toponce Creek
8. Purposes and Periods of Use: Irrigation 1/1 to 12/31
9. Place of Use: Allotment 71 (SENW, SWNE, Sec 36 Twp 6S Rge 38E) for 86.67 acres.
10. Basis of Right: The Winters Doctrine per the Memorandum Decision in United States v. Hibner, 27 F.2d 909 (D. Idaho, E.D. 1928) and the Decree of the United States District Court, Eastern Division, dated April 8, 1929.
11. Matters Necessary for Definition, Clarification, or Administration of the Right: None

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.