

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

In re SRBA
Case No. 39576

PARTIAL DECREE FOR
Water Right 27-11560

Clerk

Deputy Clerk

1. Name and address of owner: UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11th Avenue Portland OR 97232
2. Source of Water: Sand Creek
3. Annual Diversion Volume: 60,000 acre-feet per year (AFY)
4. Diversion Rate: 260 CFS
5. Annual Volume of Consumptive Use: Included in water right no. 01-10248
6. Priority Date: April 4, 1914
7. Points of Diversion: NENWNW Sec. 7, Twp 2S, Rge 37E BM (Sand Creek into Reservation Canal)
Points of Injection: NESWSE Sec 24 Twp 2S Rge 36 E BM (Reservation Canal into Blackfoot River)
Points of Rediversion: NENENE Sec 13 Twp 3S Rge 35 E BM (Blackfoot River into Fort Hall Main Canal)
NWNENW Sec 14 Twp 3S Rge 35 E BM (Blackfoot River into North Canal)
8. Purposes and Periods of Use: Irrigation 3/15 to 11/15
9. Place of Use: 13,630.13 acres within the Fort Hall Irrigation Project. This right combined with water right nos. 01-10248, 27-11561

and 25-13615 may be used to irrigate not more than 12,667.2 acres within the 13,630.13 Project acres.

10. Basis of Right: Beneficial Use

11. Matters Necessary for Definition, Clarification, or Administration of the Right:

- a. This right is used in combination with water right no. 01-10248. The combined diversion rate of this water right and water right no. 01-10248 shall not exceed 260 CFS and the combined diversion volume shall not exceed 60,000 AFY.
- b. To the extent a non-Indian water user is adjudicated a non-Project water right for Project lands, the amount of that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.
- c. As the United States and owners of lands within the ceded area relinquish their rights to use water under this water right on the Project lands, the cap on the annual diversion rate and annual diversion volume of water right no. 01-10223 shall be increased by a like amount until the ultimate diversion rate of 470 c.f.s and ultimate diversion volume of 115,000 AFY for right no. 01-10223 are reached.
- d. This water right and water right nos. 01-10248, 27-11561 and 25-13615 are to be used on Project lands. The total annual volume of consumptive use from these rights shall not exceed 33,222 AFY.
- e. This right shall be exercised in accordance with provision 11.d of water right no. 01-10223.

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.