

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
Clerk
Deputy Clerk

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 25-02160

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: Grays Lake
3. Annual Diversion Volume: 100,000 acre-feet per year (AFY)
4. Diversion Rate: Not limited
5. Annual Volume of Consumptive Use: Included in the water right nos. 01-10223 and 27-11375.
6. Priority Date: August 23, 1919
7. Points of Diversion: SWSWSW Sec 1 Twp 5S Rge 42E BM (Grays Lake/Clarks Cut Canal)
Points of Rediversion:
NWNE Sec 12 Twp 5S Rge 40E BM
(Blackfoot Reservoir)
SENWNW Sec 7 Twp 2S Rge 38E BM
(Blackfoot River into Little Indian Canal)
NENENE Sec 13 Twp 3S Rge 35E BM
(Blackfoot River into Fort Hall Main Canal)
NWNENW Sec 14 Twp 3S Rge 35E BM
(Blackfoot River into North Canal)
8. Purposes and Periods of Use:

Irrigation from Storage	3/15 to 11/15, 100,000 AFY
Storage for Irrigation	1/1 to 12/31, 100,000 AFY
9. Place of Use: 30,469 present and future acres within the Reservation.

10. Basis of Right:

Permits

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

- a. The redirection of water from storage under this right and the water right no. 27-02007 may be used to satisfy the Blackfoot River natural flow to meet but not exceed the 150,000 AFY annual diversion volume under the water right no. 27-11375. The Tribes may use water from storage under this right in excess of the amount needed to satisfy water right no. 27-11375; provided that uses in excess of that amount necessary to satisfy the 150,000 AFY diversion volume of water right no. 27-11375 shall be charged against water right no. 01-10223.
- b. This right combined with water right nos. 01-10223, 27-11375, and 27-02007 may be used to irrigate up to 53,828 present and future acres from the combined water sources
- c. The Tribes and the United States shall exercise this right in a manner that will not impair the project entitlements of the Fort Hall Irrigation Project water users.
- d. The Tribes shall have the right to use up to 15,000 AFY from the storage water rights 27-02007 and 25-02160 for instream flows in reaches of the Blackfoot River, provided that a written Notice of Use is given according to Article 8.5 of the 1990 Fort Hall Indian Water Rights Agreement.

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.