

RECEIVED
SEP 02 2010
DEPARTMENT OF
WATER RESOURCES

85-16 et al

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP - 1 2010
By _____ _____ 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

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: See Attached Exhibit A
) (USDI – Bureau of Reclamation)
)
)

I.
FINDINGS AND CONCLUSIONS

1. On July 9, 2010, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
2. On July 19, 2010, the Court received correspondence from the Idaho Department of Water Resources with respect to water right claim 85-02147 indicating a clerical error in the Special Master's recommended *Partial Decree* for that right. Specifically, the description for one of the listed points of diversion reads "T32N R04W S00 SWNE within Nez Perce County." It should read "T32N R04W S02 SWNE within Nez Perce County." The Court notes that the *Standard Form 5* submitted by the parties for water right 85-02147 on June 21, 2010 reads "T32N R04W S02 SWNE within Nez Perce County," and thus contains the correct description of the subject point of diversion. Thus, the error in the point of diversion element exists only in the *Special Master's Report and Recommendation*. The Court finds this to be the result of clerical error. As

a result, the attached *Partial Decree* for water right claim 85-02147 corrects the clerical error in the point of diversion description to read “T32N R04W S02 SWNE within Nez Perce County.”

3. The above-captioned water rights are for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.

4. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. *See* I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The GIS mapping technology allows the geographic area encompassing the place of use for a water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). *See Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary, filed October 17, 2003.*

II. ORDER

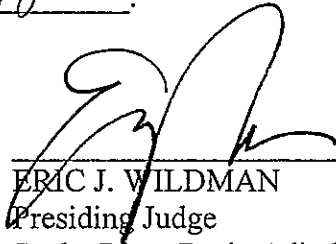
1. Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original *Partial Decrees*, and

IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decrees* is intended for illustrative purposes only.

3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED September 1, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

BUREAU OF RECLAMATION

Subcase Nos:

85-00016
85-02049
85-02063
85-02065
85-02146
85-02147
85-04483
85-11087
85-15424

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 85-00016

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

SEP - 1 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

UNITED STATES OF AMERICA
REGIONAL DIRECTOR, CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE:

SWEETWATER CREEK TRIBUTARY: LAPWAI CREEK.

Point of injection into and point of redirection from Lindsay
Creek at Mann Lake.

QUANTITY:

55.00 CFS

Right Nos. 85-16 and 85-4483 are limited to a total combined
diversion rate of 55.0 cfs

PRIORITY DATE:

07/14/1904

POINT OF DIVERSION:

T34N R04W S21 LOT 3 (NWSW) Within Nez Perce County
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Irrigation

03-15 TO 11-15

55.00 CFS

Municipal

01-01 TO 12-31

55.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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.

Place of use is within the service area of Lewiston Orchards
Irrigation District as provided for under Idaho law. The place
of use is generally described as within the city limits of
Lewiston and the surrounding service area.

Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147,
85-4483, 85-11087 and 85-15424 are limited to the irrigation of a
combined total of 3845 acres in a single irrigation season.

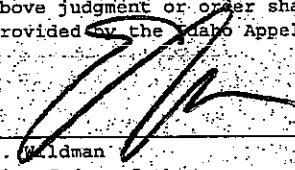
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right was originally decreed in Siegrist v. Lewiston-
Sweetwater Irrigation Co., No. 421 (D. Idaho, June 12, 1916).

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), F.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

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 85-02049

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

SEP - 1 2010

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WAHA LAKE TRIBUTARY: SINKS

Point of injection in T33N, R04W, S09, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek. Point of redirection in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of redirection in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 10.00 CFS

Right Nos. 85-2049 and 85-2063 are limited to a total combined diversion rate of 10.0 cfs.

PRIORITY DATE: 05/26/1915

POINT OF DIVERSION: T33N R04W S09 LOT 5 (SESE) Within Nez Perce County
NWNW (Injection)
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	10.00 CFS
Municipal	01-01 TO 12-31	10.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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. Place of use is within the service area of Lewiston Orchards Irrigation District as provided for under Idaho law. The place of use is generally described as within the city limits of Lewiston and the surrounding service area. Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147, 85-4483, 85-11087 and 85-15424 are limited to the irrigation of a combined total of 3845 acres in a single irrigation season.

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

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

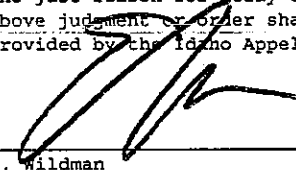
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 85-02063

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

SEP - 1 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WAHA LAKE TRIBUTARY: SINKS

Point of injection in T33N, R04W, S09, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek. Point of diversion in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of diversion in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 10.00 CFS

Right Nos. 85-2049 and 85-2063 are limited to a total combined diversion rate of 10.0 cfs.

PRIORITY DATE: 08/24/1923

POINT OF DIVERSION: T33N R04W S09 LOT 5 (SESE) Within Nez Perce County
NWNW (Injection)
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	10.00 CFS
	Municipal	01-01 TO 12-31	10.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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. Place of use is within the service area of Lewiston Orchards Irrigation District as provided for under Idaho law. The place of use is generally described as within the city limits of Lewiston and the surrounding service area. Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147, 85-4483, 85-11087 and 85-15424 are limited to the irrigation of a combined total of 3845 acres in a single irrigation season.

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

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

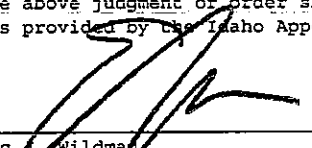
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 S. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 85-02065

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

SEP - 1 2010

NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WEBB CREEK TRIBUTARY: SWEETWATER CREEK

By _____ Clerk
_____ Deputy Clerk

Point of injection in T34N, R04W, S34, NENE is into the East
Fork of Sweetwater Creek. Point of redirection in T34N, R04W,
S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater
Canal. Point of injection and point of redirection in T35N,
R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 19.00 CFS

PRIORITY DATE: 01/30/1924

POINT OF DIVERSION: T33N R03W S06 LOT 2 (NWNE) Within Nez Perce County
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
S34 NENE (Injection)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	19.00 CFS
	Municipal	01-01 TO 12-31	19.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

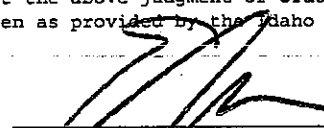
The boundary encompassing the irrigation place of use for this
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depicting the place of use is attached hereto to illustrate the
place of use described by the digital boundary.
Place of use is within the service area of Lewiston Orchards
Irrigation District as provided for under Idaho law. The place
of use is generally described as within the city limits of
Lewiston and the surrounding service area.
Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147,
85-4483, 85-11087 and 85-15424 are limited to the irrigation of a
combined total of 3845 acres in a single irrigation season.

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

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 85-02146

NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WEBB CREEK TRIBUTARY: SWEETWATER CREEK

Point of injection in T33N, R03W, S29, SESW is into Webb Creek.
Point of rediversion in T33N, R03W, S06, Lot 2 (NWNE) is from
Webb Creek via the Webb Creek Canal. Point of injection in
T34N, R04W, S34, NENE is into the East Fork of Sweetwater
Creek. Point of rediversion in T34N, R04W, S21, Lot 3 (NWSW)
is from Sweetwater Creek via the Sweetwater Canal. Point of
injection and point of rediversion in T35N, R04W, S17, Lot 18
(SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 2000.00 AFY

Storage Capacity is 2930 AF.

PRIORITY DATE: 05/24/1922

POINT OF DIVERSION: T33N R03W S06 LOT 2 (NWNE) (Rediversion) Within Nez Perce County
S29 SESW
SESW (Injection)
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
S34 NENE (Injection)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	2000.00 AFY
	Irrigation from Storage	03-15 TO 11-15	2000.00 AFY
	Municipal Storage	01-01 TO 12-31	2000.00 AFY
	Municipal from Storage	01-01 TO 12-31	2000.00 AFY

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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.
Place of use is within the service area of Lewiston Orchards
Irrigation District as provided for under Idaho law. The place
of use is generally described as within the city limits of
Lewiston and the surrounding service area.
Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147,
85-4483, 85-11087 and 85-15424 are limited to the irrigation of a
combined total of 3845 acres in a single irrigation season.

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

SEP - 1 2010

By _____ Clerk

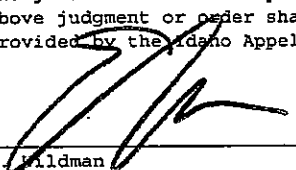
Deputy Clerk

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

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

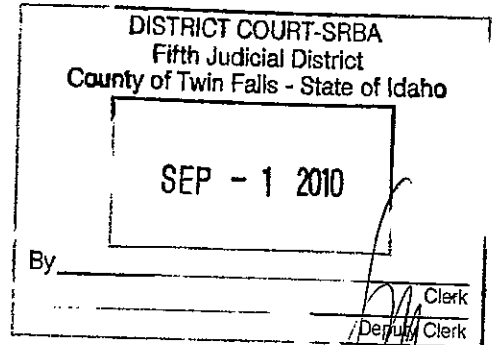
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

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 85-02147



NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: BROWNS CREEK TRIBUTARY: CAPTAIN JOHN CREEK
UNNAMED STREAM TRIBUTARY: BROWNS CREEK

Point of injection in T32N, R04W, S01, NESW is into Webb Creek.
Point of diversion in T33N, R03W, S29, SESW is where water is
stored and released at Soldiers Meadow Reservoir. Point of
rediversion in T33N, R03W, S06, Lot 2 (NWNE) is from Webb Creek
via the Webb Creek Canal. Point of injection in T34N, R04W,
S34, NENE is into the East Fork of Sweetwater Creek. Point of
rediversion in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater
Creek via the Sweetwater Canal. Point of injection and point
of rediversion in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay
Creek at Mann Lake.

QUANTITY: 6.30 CFS
2000.00 AFY

Storage Capacity is 2930 AF.

PRIORITY DATE: 12/04/1934

POINT OF DIVERSION: T32N R04W S01 LOT 4 (NWNW) Within Nez Perce County
NESW (Injection)
S02 SWNE
T33N R03W S06 LOT 2 (NWNE) (Rediversion)
S29 SESW
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
S34 NENE (Injection)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	2000.00 AFY
	Irrigation from Storage	03-15 TO 11-15	2000.00 AFY
	Municipal Storage	01-01 TO 12-31	2000.00 AFY
	Municipal from Storage	01-01 TO 12-31	2000.00 AFY
	Diversion to Storage	01-01 TO 12-31	6.30 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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.
Place of use is within the service area of Lewiston Orchards
Irrigation District as provided for under Idaho law. The place

PLACE OF USE (continued)

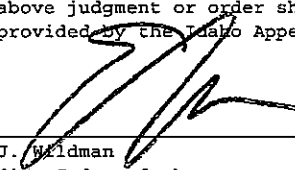
of use is generally described as within the city limits of
Lewiston and the surrounding service area.
Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147,
85-4483, 85-11087 and 85-15424 are limited to the irrigation of a
combined total of 3845 acres in a single irrigation season.

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

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).

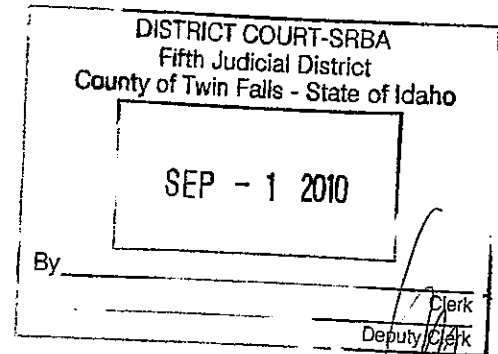
RULE 54(b) CERTIFICATE

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. Waldman
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 85-04483



NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: LINDSAY CREEK TRIBUTARY: CLEARWATER RIVER
SWEETWATER CREEK TRIBUTARY: LAPWAI CREEK

Point of injection into and point of redirection from Lindsay
Creek at Mann Lake.

QUANTITY: 55.00 CFS
10500.00 AFY

Storage capacity is 3300 AF.
Right Nos. 85-16 and 85-4483 are limited to a total combined
diversion rate of 55.00 cfs.

PRIORITY DATE: 06/01/1907

POINT OF DIVERSION: T34N R04W S21 LOT 3 (NWSW) Within Nez Perce County
T35N R04W S17 LOT 18 (SESE)
LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	8000.00 AFY
	Irrigation from Storage	03-15 TO 11-15	8000.00 AFY
	Stockwater Storage	01-01 TO 12-31	1000.00 AFY
	Stockwater from Storage	01-01 TO 12-31	1000.00 AFY
	Municipal Storage	01-01 TO 12-31	1500.00 AFY
	Municipal from Storage	01-01 TO 12-31	1500.00 AFY
	Diversion to Storage	01-01 TO 12-31	55.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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.

Place of use is within the service area of Lewiston Orchards
Irrigation District as provided for under Idaho law. The place
of use is generally described as within the city limits of
Lewiston and the surrounding service area.

Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147,
85-4483, 85-11087 and 85-15424 are limited to the irrigation of a
combined total of 3845 acres in a single irrigation season.

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

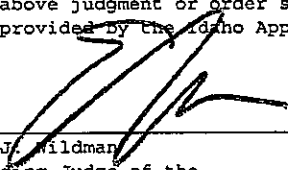
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

OTHER PROVISIONS (continued)

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 85-11087

NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WEST FORK SWEETWATER CREEK TRIBUTARY: SWEETWATER CREEK

Point of injection in T33N, R04W, S15, Lot 4 (SWNW) is into Waha Lake. Point of redirection in T33N, R04W, S09, Lot 5 (SESE) is from Waha Lake. Point of injection in T33N, R04W, S09, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek. Point of redirection in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of redirection in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 20.00 CFS
1308.50 AFY

PRIORITY DATE: 12/31/1935

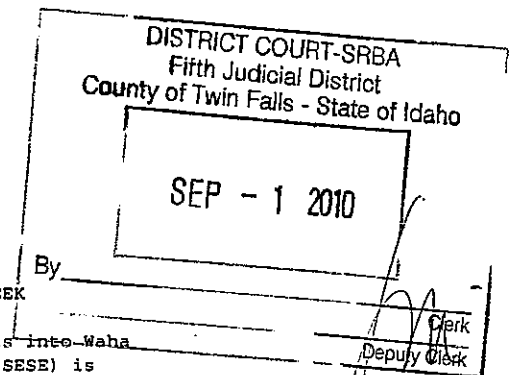
POINT OF DIVERSION: T33N R04W S09 LOT 5 (SESE) (Rediversion) Within Nez Perce County
NWNW (Injection)
S14 SWSW
S15 LOT 4 (SWNW) (Injection)
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	1308.50 AFY
	Irrigation from Storage	03-15 TO 11-15	1308.50 AFY
	Municipal Storage	01-01 TO 12-31	1308.50 AFY
	Municipal from Storage	01-01 TO 12-31	1308.50 AFY
	Diversion to Storage	01-01 TO 12-31	20.00 CFS

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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. Place of use is within the service area of Lewiston Orchards Irrigation District as provided for under Idaho law. The place of use is generally described as within the city limits of Lewiston and the surrounding service area. Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147, 85-4483, 85-11087 and 85-15424 are limited to the irrigation of a combined total of 3845 acres in a single irrigation season.

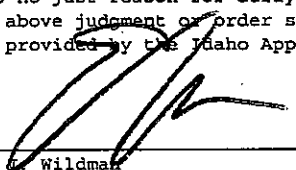


OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

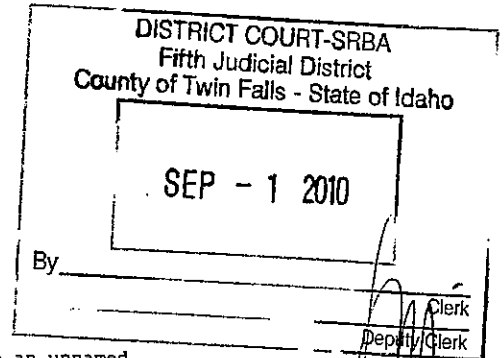
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 W. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 85-15424



NAME AND ADDRESS: UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

SOURCE: WAHA LAKE TRIBUTARY: SINKS

Point of injection in T33N, R04W, S09, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek. Point of redirection in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of redirection in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 3497.50 AFY

Storage capacity is 3497.5 AF.

PRIORITY DATE: 12/01/1935

POINT OF DIVERSION: T33N R04W S09 LOT 5 (SESE) Within Nez Perce County
NWNW (Injection)
T34N R04W S21 LOT 3 (NWSW) (Rediversion)
T35N R04W S17 LOT 18 (SESE) (Injection)
LOT 18 (SESE) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	3497.50 AFY
	Irrigation from Storage	03-15 TO 11-15	3497.50 AFY
	Municipal Storage	01-01 TO 12-31	3497.50 AFY
	Municipal from Storage	01-01 TO 12-31	3497.50 AFY

PLACE OF USE:

3845 ACRES TOTAL

The boundary encompassing the irrigation 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. Place of use is within the service area of Lewiston Orchards Irrigation District as provided for under Idaho law. The place of use is generally described as within the city limits of Lewiston and the surrounding service area. Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147, 85-4483, 85-11087 and 85-15424 are limited to the irrigation of a combined total of 3845 acres in a single irrigation season.

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

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

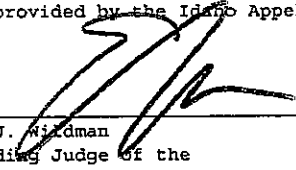
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION was mailed on September 01, 2010, with sufficient first-class postage to the following:

NEZ PERCE TRIBE

Represented by:
DAVID J. CUMMINGS
NEZ PERCE TRIBAL EXEC COMM
100 AGENCY ROAD
PO BOX 305
LAPWAI, ID 83540
Phone: 208-843-7355

LEWISTON ORCHARDS IRR DIST

Represented by:
EARL LEON MCGEOGHEGAN
1301 G STREET
LEWISTON, ID 83501
Phone: 208-746-4333

NEZ PERCE TRIBE

Represented by:
K. HEIDI GUDGELL
NEZ PERCE TRIBAL EXEC COMM
100 AGENCY ROAD
PO BOX 305
LAPWAI, ID 83540
Phone: 208-843-7355

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

LEWISTON ORCHARDS IRR DIST

1520 POWERS AVE
LEWISTON, ID 83501

