

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74140APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Shoshone-Bannock Tribes Phone (208) 478-4580Post Office address P.O. Box 306, Fort Hall, ID 83203

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To use with upgraded uncontaminated municipal system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 27-07000 Priority 7/27/1967 Amount (cfs/ac-ft) .5 CFS Nature of Use Municipal Period of Use 01/01 to 12/31
to _____
to _____
to _____

2. Total amount of water being transferred .5 CFS cubic feet per second and/or 362 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	NE	NE	35	4 S.	34 E.	Bingham	Fort Hall Townsite
	NW	NE	NE	32	4 S.	35 E.	Bingham	Sheepskin Road (2)

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4 S.	34 E.	25											X						
		26																X	
		35	X			X													
		36						X	X										

RECEIVED

RECEIVED

SEP 26 2007

SEP 20 2007

Total Acres _____

6. General Information:

- d. Remarks:

74140

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 27-07000 Decreed to Shoshone-Bannock Tribes
in case of SRBA No. 39576 vs. _____
dated 12/13/2007 in 5th Judicial District county of Twin Falls
- b. License No. 277000 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Order of Partial Decree 27-07000
3. Source of water Groundwater tributary to _____4. Date or priority 7/27/1967

5. Water is used for the following purposes:

amount .5 CFS for Municipal purposes from 01/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .5 CFS cubic feet per second and/or 362 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	NENE		35	4 S.	34 E	Bingham	Fort Hall Townsite

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4 S	34 E	25											X						
		26																X	
		35	X			X													
		36						X	X										

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Tribal groundwater right

74140

page 4 of 7

74140

received
12.15.06 JP

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 13 2006	
By _____	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

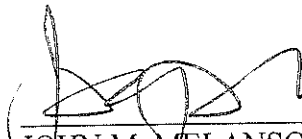
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 27-07000
	)	
_____	)	

On October 31, 2006, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED Dec. 7, 2006.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

74140

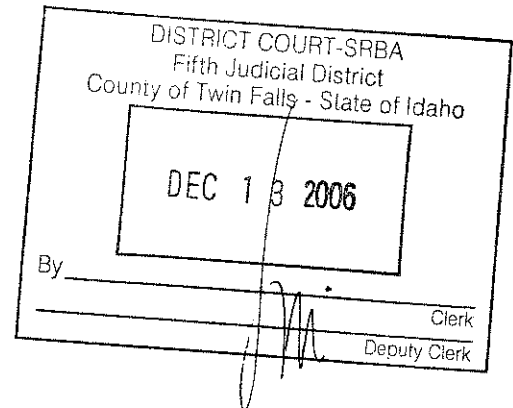
page 587

74140

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 27-07000



NAME AND ADDRESS: SHOSHONE BANNOCK TRIBES
PO BOX 306
FORT HALL, ID 83203

SOURCE: GROUND WATER

QUANTITY: 0.50 CFS
362.00 AFY

PRIORITY DATE: 07/27/1967

POINT OF DIVERSION: T04S R34E S35 SWNE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.50 CFS 362.00 AFY

PLACE OF USE:	Municipal	Within Bingham County
	T04S R34E S25 SWSW	
	S26 SESE	
	S35 NENE	SENE
	S36 NWNW	SWNW

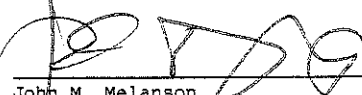
Place of use is within the service area of Shoshone-Bannock Utilities as provided for under Idaho law. The place of use is generally Fort Hall Townsite, Sections 25, 26, 35 and 36, Township 4 south, Range 34 east.

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

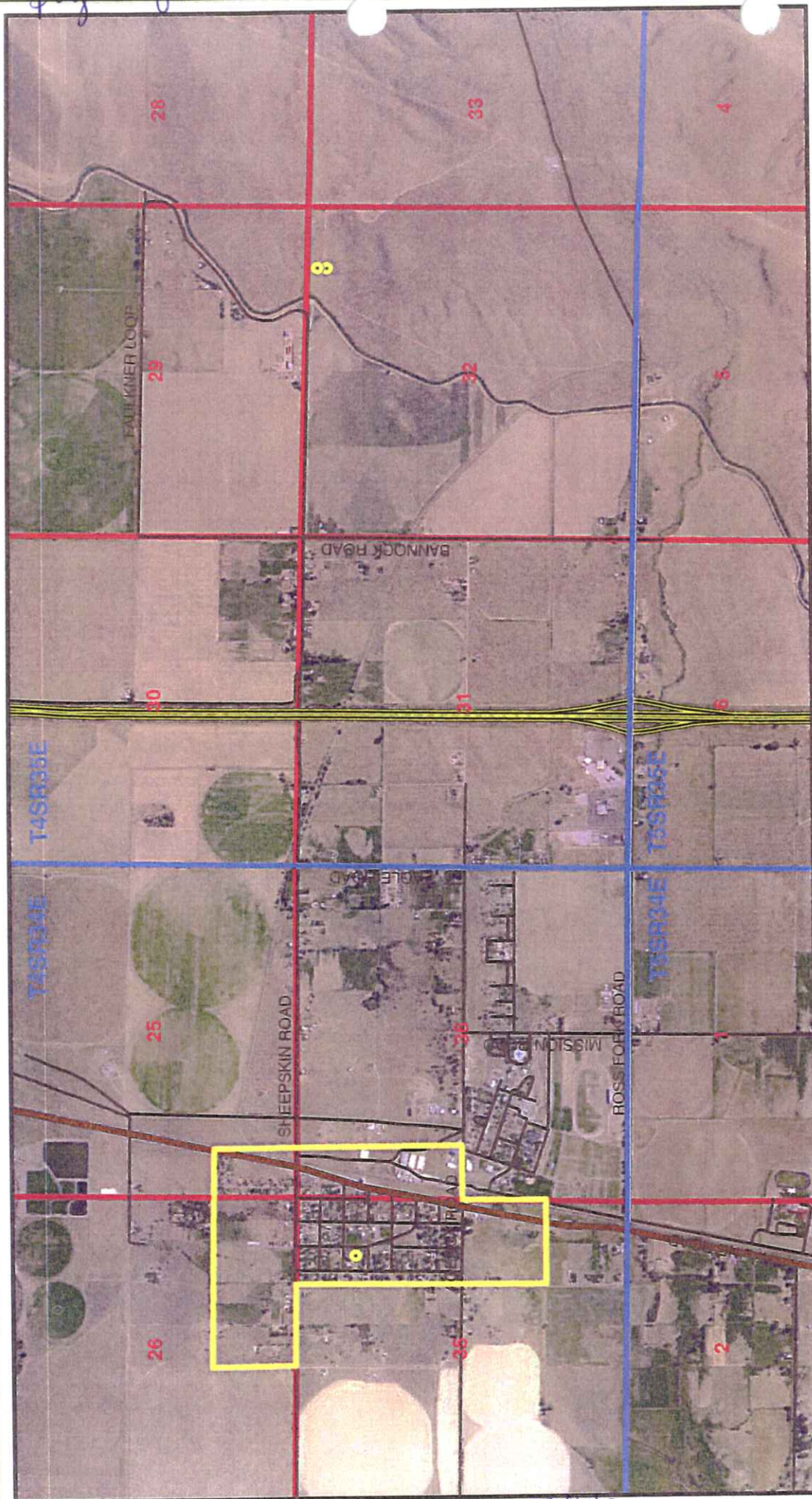
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

74140



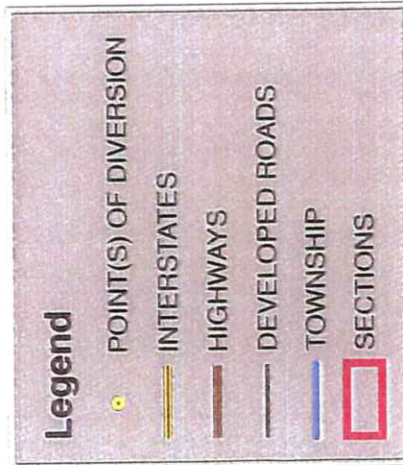
WATER RIGHT 27-7000

Place of Use: T4S,R34E:
 (part of) Sec. 25, SWSW;
 (part of) Sec. 26, SWSE,SESE;
 (part of) Sec. 35, NENE,SENE,NESE;
 (part of) Sec. 36, NWNW,SWNW.

Point(s) of Diversion:

T4S,R34E,Sec.35, SENENE.

T4S,R35E,Sec.32, NWNENE(2)



PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
None _____ to _____
_____ to _____

2. Quantity and quality of return flows and location of discharge: _____
None _____

3. Describe effects on other water uses resulting from the proposed change:
None _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

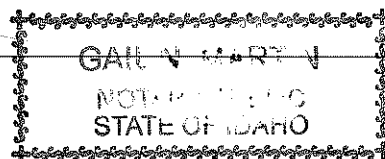
I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature] - chairman
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of September, 20 07.

[Signature]
(Notary Public)

My commission expires 5/9/2012

**FOR DEPARTMENT USE ONLY**

Transfer contains 7 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by DC Fee \$250 8033437

Receipted by _____ Date _____

Published in Morning News Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____