

October 29, 2006

W. KENT FLETCHER
FLETCHER LAW OFFICE
1200 OVERLAND AVENUE
P.O. BOX 248
BURLEY, ID 83318-0248

RE: Water District 34 Guidelines

Dear Mr. Fletcher:

In your letter of September 6, 2006, you expressed a concern by the Directors of the Big Lost River Irrigation District (BLRID) about wording in the attached August 3, 2006 memorandum on administration of BLRID storage rights. Specifically, the Directors are concerned that flood control releases accrue toward annual storage volume limits. You also ask what legal authority provides for such accrual.

The text the Directors refer to is as follows:

"Storage is cumulative; anything that is stored, even if released for flow control, counts toward the annual volume limit."

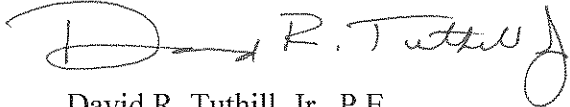
It is important to note that it is the storage of the water, rather than the release of the water, that accrues toward annual storage volume limits. In other words, if BLRID chooses to store water, they are exercising the storage portion of their right, which is subject to the volume limitations. Once water is stored, it counts toward the annual volume limit regardless of whether BLRID later releases that stored water for purposes other than irrigation.

Note that, after the volume limits have all been met, BLRID may store additional water under water rights 34-10873, 34-12, and 34-2507, as long as all other rights in the basin are satisfied. These three rights are not limited by flow rate, and the additional volume is limited only by the amount of available storage in Mackay Reservoir. In most cases where flood control releases would be required, as in 2006, the combination of high runoff and low demand for irrigation water in the spring would allow BLRID to replace the water released for flood control.

The legal authority for this interpretation is the water right itself, which specifies an annual volume limit on irrigation storage and includes the condition allowing an additional volume of storage, as described in the attached memorandum.

I hope this letter resolves the concerns of the Directors. Please feel free contact IDWR if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. R. Tuthill, Jr.", with a stylized flourish at the end.

David R. Tuthill, Jr., P.E.
Water Management Division Administrator

Enclosures:

August 3, 2006 Memorandum from Nick Miller to be appended to the *Water District 34 Guidelines for Operation Document*, RE: Administration of Big Lost River Irrigation District Storage Rights. (4 pages)

Partial Decree for 34-12 (10 pages)
Partial Decree for 34-10873 (10 pages)
Partial Decree for 34-2507 (10 pages)

cc:

IDWR Eastern Region, Idaho Falls
Big Lost River Irrigation District, 101 S Main Ave Mackay, ID 83251
Bob Duke – Watermaster, Water District 34, PO Box 53, Mackay, ID 83251

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Memorandum

To: Append to *Water District 34 Guidelines for Operation* Document
From: Nick Miller
Date: August 3, 2006
Re: Administration of Big Lost River Irrigation District Storage Rights

This memo clarifies how the Watermaster of WD34 is to administer storage rights held by the Big Lost River Irrigation District (BLRID). Written instruction is necessary to ensure all parties (IDWR, BLRID, water users, and WD34 staff) share a common understanding of the administration of these storage rights. This memorandum discusses the administration of the BLRID storage water rights by the Watermaster of WD34 and does not address how the stored water is to be allocated to the BLRID patrons.

BLRID holds the following 9 water rights listed in order of priority:

RIGHT NO.	PRIORITY	RATE/VOLUME LIMITS	SEASON OF USE (STORAGE)*	REMARKS
34-00818	06/30/1880	3.2 CFS/556.5AF	05-01 to 10-15	
34-00811	06/30/1881	1.7 CFS/294 AF	05-01 to 10-15	
34-00810	06/01/1888	3.2 CFS/556.5AF	05-01 to 10-15	
34-10935	06/01/1896	6.4 CFS/1113 AF	05-01 to 10-15	
34-00817B	03/01/1902	0.8 CFS/140 AF	05-01 to 10-15	
34-00013	07/31/1905	100CFS	05-01 to 10-15	Antelope Cr Exchange w/ 3 in 1
34-10873	10/02/1905	20646 AF	01-01 to 12-31	Additional Vol. Allowed
34-00012	02/07/1916	17205 AF	01-01 to 12-31	Additional Vol. Allowed
34-02507	09/02/1959	6000 AF	01-01 to 12-31	Additional Vol. Allowed

* Season of use for irrigation deliveries is 5/1 to 10/15. Season of use for storage and irrigation from storage may be extended to as early as 4/20 and as late as 10/31 at the discretion of the Director of IDWR.

It is important to note that these rights are limited by season of use, storage volume, and, in some cases, flow rate. Storage volume limits are limitations on the total volume of water stored under a right each calendar year (Jan. 1 to Dec 31). Note that only three of the rights allow storage to accrue during the non-irrigation season. The BLRID storage rights fill as follows:

January 1st – Any carryover, including unused rotation credit storage from the previous irrigation season accrues against the volume limit of the earliest, in season storage right (34-10873).

Fill between January 1st and May 1st (before the irrigation season)– Only three of the BLRID water rights have a season of use that includes this period. Any water that is stored accrues against the volume limits of the earliest of these right first. 34-10873 fills first, then 34-12, then 34-2507. All water stored during this period must be stored in priority with other rights above the reservoir that are within their season of use, but is superior to all other rights below Mackay Reservoir, subject to a minimum flow at the 2B gage of 50 cfs. If the inflow to Mackay Reservoir is less than 50 cfs, no storage may occur, but BLRID is not required to release water to maintain 50 cfs at the 2B gage.

If the reservoir fills prior to May 1st, the three year-round rights have been satisfied. Storage is cumulative; anything that is stored, even if released for flood control, counts toward the annual volume limit. See the following example:

Date	Res. Contents	Change in Storage	Cum. stored	Rights filled		
	acre-feet	acre-feet	acre-feet	34-10873	34-12	34-2507
1/1	20,000	0	20,000	20,000 of 20,646	0 of 17,205	0 of 6,000
3/1	25,000	5,000	25,000	Right Full - 20,646	4,354 of 17,205	0 of 6,000
3/10	22,000	-3,000	25,000	Right Full - 20,646	4,354 of 17,205	0 of 6,000
3/20	25,000	3,000	28,000	Right Full - 20,646	7,354 of 17,205	0 of 6,000
4/15	38,000	13,000	41,000	Right Full - 20,646	Right Full - 17,205	3,149 of 6,000
4/28	40,851	2,851	43,851	Right Full - 20,646	Right Full - 17,205	Right Full - 6,000
5/1	44,500	3,649	47,500	Additional Volume allowed by WR Condition		

In the above example, water is released for flood control on 3/10, but that water still had accrued toward volume limits. This, (along with the fact that the annual volume limit for these three rights is less than the 44,500 acre-feet of capacity in Mackay Reservoir) would prevent the reservoir from ever filling prior to the irrigation season were it not for a condition on these rights that reads:

A VOLUME OF WATER IN ADDITION TO THE VOLUME DESCRIBED ABOVE FOR STORAGE PURPOSES MAY BE STORED IN A SINGLE YEAR IF: A) THE ADDITIONAL VOLUME IS STORED USING THE STORAGE CAPACITY OF MACKAY RESERVOIR, AND B) ALL WATER RIGHTS EXISTING AT THE TIME OF STORAGE (INCLUDING WATER RIGHTS WITH JUNIOR PRIORITY AND OTHER RIGHTS FOR STORAGE PURPOSES) THAT ARE WITHIN THEIR PERIOD OF USE ARE SATISFIED.

In other words, as in the example above, even though the volume limits for the rights are met (on 4/28 in the example), an additional volume could be (and was in the example) stored because all other rights were satisfied. It is likely that recharge may be occurring during this period, but the WD34 recharge plan of operations indicates that recharge will not occur upstream of Mackay Reservoir without consulting BLRID.

If the reservoir does not completely fill, or if the volume limits for the three rights are otherwise not filled by May 1st, storage proceeds as described below.

Fill between May 1st and October 15th (irrigation season)– During this period, all of the BLRID storage rights are within their seasons of use and any storage accrues in priority with all other rights. These rights are subject to their volume and rate limitations as well. In years where the reservoir does not fill prior to the start of the irrigation season, the remaining fill occurs in priority and accrues against the volume limits of the oldest right first.

In the example below, storage deliveries began after May 10th. The reservoir contents for 5/30 and 6/5 do not directly equate with the increase in cumulative stored water because storage water is being stored and delivered, so storage may accrue against the volume limitations without a corresponding net change in reservoir contents. The important volume from an administrative point of view is the cumulative stored volume because that determines which rights have filled. As an example, if the contents of Mackay reservoir contents are increasing at a rate of 1 cfs, and 4 cfs of storage water are being delivered, then 5 cfs must be accrued against a storage right. In that example, the net change in reservoir contents does not reflect how much water is actually being stored during that period.

In the example below, the reservoir never filled to capacity but the rights reached their volume limits. Additional volume was not stored on the three rights that allow an additional volume because priority cuts were being made to 1975, so some rights being called for were not filled in this example. However, an additional volume of water may be stored in Mackay Reservoir under water right 34-13 as described later in this memorandum.

			1-May	3-May	10-May	30-May	5-Jun
Reservoir Contents (AF)			25,000	26,000	20,000	25,000	34,000
Net Change in Contents (AF)*			0	1,000	-6,000	5,000	9,000
Cumulative Stored (AF)			25,000	26,000	26,000	36,000	46,511
Priority date on BLR			All on	All on	All on	1975	1965
34-00818	6/30/1880	3.2 CFS/556.5AF	0 of 556.5	Full	Full	Full	Full
34-00811	6/30/1881	1.7 CFS/294 AF	0 of 294	Full	Full	Full	Full
34-00810	6/01/1888	3.2 CFS/556.5AF	0 of 556.5	149.5 of 556.5	149.5 of 556.5	Full	Full
34-10935	6/01/1896	6.4 CFS/1113 AF	0 of 1,113	0 of 1,113	0 of 1,113	Full	Full
34-00817B	3/1/1902	0.8 CFS/140 AF	0 of 140	0 of 140	0 of 140	Full	Full
34-10873	10/2/1905	20646 AF	Full	Full	Full	Full	Full
34-00012	2/7/1916	17205 AF	4,354 of 17,205	4,354 of 17,205	4,354 of 17,205	12,694 of 17,205	Full
34-02507	9/2/1959	6000 AF	0 of 6,000	0 of 6,000	0 of 6,000	0 of 6,000	Full

* Net change in contents does not accurately reflect storage accrual when storage deliveries are being made.

If the reservoir fills after natural flow rotation has begun, the rotated volume becomes BLRID storage water and that volume is accrued against the BLRID storage right limitations and that water accrues to the most senior right first.

If the reservoir filled prior to the start of the irrigation season, the volume limitation on the three non-irrigation season rights has been met, but an additional volume of water may be stored under the following rights: 34-00013, 34-00810, 34-00811, 34-00818, 34-10935, and 34-00817B. These rights must be in priority and are limited to the volume limits and diversion rate limits of the individual rights (although rights may be stored concurrently if they are in priority). Note that these rights may accrue into storage while the reservoir is full, provided that storage deliveries are being made concurrently. If the reservoir is full, not being drawn down, and storage is being delivered, then storage must accrue against an in priority storage right. Such storage accrual is subject to priority date, flow rate, and volume limitations. WR 34-13 is subject to additional limitations, as described below.

WR # 34-13 is an exchange water right held by BLRID. This right entitles BLRID to store water in Mackay Reservoir in exchange for diverting an equal amount from Antelope Creek to the 3 in 1 ditch at the south fork of Antelope Creek. This right is to be administered as follows:

When water right 34-13 is in priority, and BLRID is calling for delivery of this right, the Watermaster must determine which rights that take Big Lost River water from the 3 in 1 below Antelope Creek are currently called for and deliverable. The sum of these rights may be called the "exchange flow rate". The Watermaster must adjust the diversion at the head of the 3 in 1, reducing it by the exchange flow rate, and he must divert Antelope Creek into the 3 in 1 at the South Fork of Antelope Creek at the exchange flow rate. Under 34-13, BLRID may only store at a rate equal to the exchange flow rate and may only do so while Antelope Creek is being diverted to those users on the 3 in 1 and when those users are in priority and are calling for their water.

The basis of this right is that the BLRID cannot physically store water from Antelope Creek, so instead they provide Antelope Creek water to users on the 3 in 1 and store an equal amount in Mackay Reservoir. The stored water may then be delivered as storage water to BLRID patrons. The users on the 3 in 1 receive their natural flow water rights as they normally would and nothing out of the ordinary happens from their perspective. It is important to note that these users receive their natural flow in this exchange. BLRID is not delivering any storage water in this exchange. This simply allows them to store under their Antelope Creek right. It is also important to stress that, although the right bears a diversion rate of 100 cfs, 34-13 is limited to the rate of flow that users on the 3 in 1 are calling for and that is deliverable.

Fill between October 16th and December 31st (after the irrigation season)– Following the end of the irrigation season; any rotated water that has not been delivered becomes BLRID storage water. During this period, water may be stored under rights 34-10873, 34-12, and 34-2507. At this point the volume limits will likely have been met earlier in the year for these rights. Additionally, the general provisions allow all inflow to Mackay Reservoir to be stored during this period subject to a 50 cfs minimum release. Therefore, any rights above Mackay Reservoir that are within their season of use and are called for must be satisfied, but BLRID may store all inflow to the reservoir beyond that required to satisfy the 50 cfs minimum flow at the 2B gage.

Watermaster's Role in Administration of BLRID Rights– Given the above description of BLRID water rights, the Watermaster must perform a number of checks throughout the season to ensure BLRID is storing within their water rights:

- On May 1st, or as early as April 20th if the irrigation season has been extended:
 - If the reservoir is full, the three year-round rights are satisfied.
 - If the reservoir is not full, the Watermaster must ensure that the storage rights are filled in priority.
- When BLRID is making storage deliveries:
 - It is possible that BLRID may store water at the same rate they are delivering it. In this case, the reservoir contents will not change, but volume still accrues toward the volume limits of the in priority storage rights. The Watermaster should verify that the in priority storage rights are not exceeding their flow rate or volume limitations. During this period, the following should be true:

$$[\text{reservoir outflow}] = [\text{rotation storage outflow}] + [\text{storage release out flow}] + [\text{natural inflow}] - [\text{Storage inflow}] - [\text{inflow of rotation credits}]$$

Storage inflow is determined by the Watermaster based on which BLRID storage rights are in priority and have not met their annual volume limitation. 34-13 is limited to the flow rate of in priority Big Lost River water rights on the 3 in 1 below Antelope Creek and is further limited to that volume of water that can be supplied to those users from Antelope Creek under WR#34-13.

- Following the irrigation season:
 - Ensure that all other rights are satisfied above the reservoir unless volume limitations remain on the three year round rights, in which case they can be filled in priority with above the reservoir rights.
 - Ensure that the flow at the 2B gage is either 50 cfs or is equal to the inflow to the reservoir, if the inflow is less than 50 cfs.

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

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 DECREE

For Water Right 34-00012


On March 25, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. Additional proceedings followed, which ultimately culminated in a *Memorandum Decision and Order on Motions for Reconsideration* issued by Judge Wood on December 16, 1999.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right.

No objections were filed to the *Supplemental Director's Report* with respect to the above-captioned water right. On May 9, 2001, this Court issued an *Order of Partial Decree for General Provisions in Administrative Basin 34*.

Therefore, IT IS ORDERED that water right 34-00012 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 15, 2001.


ROGER S. BURDICK
Presiding Judge
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

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DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED

In Re SRBA)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 34-00012

NAME & ADDRESS: BIG LOST RIVER IRRIGATION DISTRICT
PO BOX 205
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 17205.0 AFY

A VOLUME OF WATER IN ADDITION TO THE VOLUME DESCRIBED ABOVE
FOR STORAGE PURPOSES MAY BE STORED IN A SINGLE YEAR IF: A) THE
ADDITIONAL VOLUME IS STORED USING THE STORAGE CAPACITY OF MACKAY
RESERVOIR, AND B) ALL WATER RIGHTS EXISTING AT THE TIME OF
STORAGE (INCLUDING WATER RIGHTS WITH JUNIOR PRIORITY AND OTHER
RIGHTS FOR STORAGE PURPOSES) THAT ARE WITHIN THEIR PERIOD OF USE
ARE SATISFIED.

PRIORITY DATE: 02/07/1916

POINT OF DIVERSION: T03N R26E S01 NENESW (REDIVERSION) Within BUTTE County
S12 NENWSE (REDIVERSION)
T04N R26E S26 NWNWNW (REDIVERSION)
T05N R26E S04 NWESE (REDIVERSION)

Within CUSTER County
T07N R23E S12 SENW
T06N R24E S01 NENESW (REDIVERSION)
R25E S06 SWNESE (REDIVERSION)
S10 NENESW (REDIVERSION)
S11 SWSESW (REDIVERSION)
S14 SENWSE (REDIVERSION)
S24 NWNWNE (REDIVERSION)
R26E S32 NWSENW (REDIVERSION)
T07N R23E S12 NWNWSE (REDIVERSION)
R24E S18 SESWNE (REDIVERSION)
S20 SWNESW (REDIVERSION)
S33 NWSWNE (REDIVERSION)
S34 SENWNW (REDIVERSION)

POINT OF DIVERSION IN T07N, R23E, S12, SENW IS MACKAY DAM.
WATER IS DELIVERED THROUGH THE ANGELO, ARCO, B & J,
BECK/MC GOWAN, BURNETT, DARLINGTON, EASTSIDE, HARRIS-VAUGHT,
ISLAND, LOWER BURNETT, MC LAUGHLIN, MIDDLE, MILLER, MOORE,
MUNSEY, SHARP, STREETER, SUTTER, SWAUGER, VANOUS, WESTSIDE AND
3 IN 1 DITCHES OR CANALS; ALL ARE POINTS OF REDIVERSION FROM THE
BIG LOST RIVER.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE		01-01 12-31	17205.0 AFY
IRRIGATION FROM STORAGE		05-01 10-15	17205.0 AFY

THE PERIOD OF USE FOR IRRIGATION FROM STORAGE DESCRIBED ABOVE
MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR.

PLACE OF USE:	IRRIGATION FROM STORAGE	Within BUTTE and CUSTER Counties		
T03N R26E S01	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3 (NENW)	Lot 4 (NWNW)	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S02	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	SENE

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-00012

PAGE
SEP-28-20

PLACE OF USE: (CONT)

T03N R26E	S02		NESE		NWSE		SESE	
			NENE		NWNE		SWNE	SENE
		S12	NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S13		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NESE		NWSE	
	R27E S05	Lot 4	(NWNW)		SWNW		NWSW	SWSW
		Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SENW	NESW
		Lot 6	(NWSW)	Lot 7	(SWSW)		SESW	NESE
	S07		NWSE		SWSE		SESE	
			NENE		NWNE		SWNE	SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	SENW
			NESW		NWSW		SWSW	SESW
	S08		SWSE		SESE			
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NENW		NWNW		SWNW	SENW
	S17		NWSW		SWSW			
			NENE		NWNE		SWNE	SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	SENW
			NESW		NWSW		SWSW	SESW
	S18		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
T04N R26E	S02	Lot 2	(NWNW)		NWNE		SWNE	SENE
		Lot 1	(NENE)	Lot 2	(NWNE)		SWNW	SENW
		Lot 3	(NENW)	Lot 4	(NWNW)		SWSW	SESW
			NESW		NWSW		SWSE	SESE
	S04	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S05	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
			SENW		NESW		NWSW	SWSW
			SESW		NESE		NWSE	SWSE
			SESE					
	S07		NENE		SENE		NESE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S09		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S10		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S11		NESE		NWSE		SWSE	SESE
			NWNW		SWNW		NWSW	SWSW
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S14		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S15		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S16		NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S17		NESE		NWSE		SWSE	SESE
			NENE		SENE		SWNE	SENE
			SWNW		SENW		NESW	NWNW
			SWSW		SESW		NESE	NWSW
	S18		SWSE		SESE			
			NENE		NWNE		SWNE	SENE
			NESE		NWSE		SWSE	SESE
			NENE		NWNE		SWNE	SENE
	S19		NENE		NWNE		SWNE	SENE

PLACE OF USE: (CONT)

T04W R26E S19		NESW	SESW	NESE	NWSE
		SWSE	SESE		
S20		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	NWSE
S21		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE			
S22		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	NESE	NWSE
		SWSE	SESE		
S23		NWNE	SWNE	NENW	NWNW
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S25		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S26		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S35		NENE	NWNE	SWNE	SENE
		NENW	SENW	NESE	NWSE
		SWSE	SESE		
S36		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SESW	NESE
		NWSE	SWSE	SESE	
R27E S31	Lot 1	(NWNW)	Lot 2 (SWNW)	SENW	NESW
	Lot 3	(NWSW)	Lot 4 (SWSW)	SESW	SWSE
		SESE			
T05W R25E S01	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S02	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESE	NWSE	SWSE	SESE
R26E S03		NWSW	SWSW		
S04	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S05	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
		NESE	SWSE	SESE	
S06		NWNW			
S08		NENE	SENE	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE	SESE		
S09		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S10		SWNE	NENW	NWNW	SWNW
		SENW	NESW	NWSW	SWSW
		SESW	NWSE	SWSE	SESE
S14		NWNW	SWNW	NESW	NWSW
		SWSW	SESW		
S15		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S16		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S17		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE	NWSE	SWSE	SESE
S20		NENE	NWNE	SWNE	SENE

PLACE OF USE: (CONT)

T05N R26E	S20		NESE		NWSE		SWSE		SESE
	S21		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S22		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S23		NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S26		NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S27		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S28		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S29		NENE		NWNE		SWNE		SENE
			NENW		SENW		NESE		NWSE
			SWSE		SESE				
	S32		NENE		SENE		NESE		SESE
	S33		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S34		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW	Lot 4	(SWSW)	Lot 5	(SESW)
			NESE		NWSE		SWSE		SESE
	S35		NWNW		SWNW		NWSW		SWSW
T06N R24E	S01	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NESE		NWSE		SWSE
			SESE						
	S02	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SESW		NWSE
			SWSE		SESE				
	S03	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	S11		NENE		NWNE		SWNE		SENE
	S12		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NWSW		NESE				
R25E	S01		NESW		SWSW		SESW		NESE
			NWSE		SWSE		SESE		
	S02		SWNE		SWNW		SENW		NESW
			NWSW		SWSW		SESW		NWSE
			SWSE		SESE				
	S03	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S04	Lot 1	(NENE)	Lot 2	(NWNE)	Lot 3	(NENW)	Lot 4	(NWNW)
			SWSW		SESW		SWSE		SESE
	S05	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S06	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)	Lot 5	(SWNW)		SENW
			NESW	Lot 6	(NWSW)	Lot 7	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE
	S07		NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE

PLACE OF USE: (CONT)

T06N R25E S08		NENE	NWNE	NENW	NWNW
		SWNW	NWSW	SWSW	NESE
		NWSE	SWSE	SESE	
S09		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S10		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S11		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S12		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S13		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S14		NENE	NWNE	SENE	NESE
		SWSE	SESE		
S16		NWNE	NENW	NWNW	SWNW
S17		SWNE	SENE	NWNW	SWNW
		SENW	NESW	NWSW	NESE
		NWSE	SWSE	SESE	
S18		NENE	NWNE	SWNE	SENE
		SWSW			
S21	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	NESE	NWSE
		SESE			
S22		NWSW	SWSW		
S23		NENE	SENE	NESE	SESE
S24		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S25		NENE	NWNE	SWNE	SENE
		NENW	SWNW	SENW	NESW
		NWSW	SWSW	SESW	NESE
		NWSE	SWSE	SESE	
S26		SESW	SWSE	SESE	
S27		NWNW	SWNW	SWSW	SESW
		SWSE	Lot 4 (SESE)		
S28		NENE	SENE	NESE	SESE
S33		NENE			
S34	Lot 1	(NENE)	NWNE	SWNE	Lot 2 (SENE)
		NENW	NWNW	SENW	NESW
	Lot 3	(NESE)	NWSE	Lot 4 (SESE)	
S35		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S36		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
R26E S05	Lot 4	(SWSW)	Lot 5 (SESW)		
S06		SWSW	SESE		
S07		NENE	SWNE	SENE	Lot 1 (NENW)
		NWNW	SWNW	SENW	NESW
	Lot 3	(NWSW)	Lot 4 (SWSW)	SESE	NESE
		NWSE	SWSE	SESE	
S08		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S17		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW

PLACE OF USE: (CONT)

T06M R26E S17	NESE	NWSE	SWSE	SESE
S18	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S19	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S20	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S21	SWNW	NESW	NWSW	SWSW
	SESW	SWSE		
S27	NESW	NWSW		
S28	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE	SESE		
S29	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S30	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S31	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S33	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NWSE	SWSE
T07N R24E S07	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW	SESW
S17	SWNW	NWSW	SWSW	SESW
S18	NENE	NWNE	SWNE	SENE
	NENW	SENW	NESE	NWSE
	SESE			
S20	NENE	NWNE	SWNE	NENW
	NWNW	NESE	NWSE	SWSE
	SESE			
S21	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S26	SWSW	SESW	SWSE	SESE
S27	NENW	NESW	NWSW	SWSW
	SESW	NESE	NWSE	SWSE
	SESE			
S28	NENE	NWNE	NENW	NWNW
	SWNW	SENW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S29	NENE	NWNE	SENE	NWSE
	SESE			
S33	NWNE	SWNE	SENE	NENW
	NESE	NWSE	SESE	
S34	NENE	NWNE	SWNE	SENE
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE			
S35	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	SWSW	SESW	NESE
	NWSE	SWSE	SESE	
S36	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW

PLACE OF USE: (CONT)

T07N R24E S36	NESE	NWSE	SWSE	SESE
R25E S28	SWSW	SESW	NWSE	SWSE
S31	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S33	NWNE	SWNE	SENE	NENW
	NWNW	SWNW	SENW	NESW
	NWSW	SWSW	SESW	NESE
	NWSE	SWSE	SESE	
S35	NENE	NWNE	SWNE	SENE
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE


USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF 32,000 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00013, 34-00810, 34-00811, 34-00817B, 34-00818, 34-02507, 34-10873 AND 34-10935.

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. SECTION 42-1412(6), IDAHO CODE.

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.


ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

YOUNG HARVEY WALKER

Represented by:
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POCATELLO, ID 83204-1391
Phone: 208-232-6101

ARTHUR W. QUIST

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Phone: 208-356-3633

LITTLE SALMON RIVER WATER USER
PAYETTE RIVER WATER USERS ASSN

Represented by:
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BIG LOST RIVER WATER USERS

Represented by:
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TWIN FALLS, ID 83303-0066
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JAY V JENSEN

RT 1 BOX 112A
MOORE, ID 83255



LETTIE MESSICK
Chief Deputy Clerk

YOUNG HARVEY WALKER

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MOORE, ID 83255



LETTIE MESSICK
Chief Deputy Clerk

2001 OCT 15 PM 4: 54

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED 

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 DECREE

For Water Right 34-10873

On March 25, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. Additional proceedings followed, which ultimately culminated in a *Memorandum Decision and Order on Motions for Reconsideration* issued by Judge Wood on December 16, 1999.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right.

No objections were filed to the *Supplemental Director's Report* with respect to the above-captioned water right. On May 9, 2001, this Court issued an *Order of Partial Decree for General Provisions in Administrative Basin 34*.

Therefore, IT IS ORDERED that water right 34-10873 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 15, 2001.



ROGER S. BURDICK

Presiding Judge

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 34-10873

2001 OCT 15 PM 4:54
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: BIG LOST RIVER IRRIGATION DISTRICT
PO BOX 205
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 20646.0 AFY

A VOLUME OF WATER IN ADDITION TO THE VOLUME DESCRIBED ABOVE
FOR STORAGE PURPOSES MAY BE STORED IN A SINGLE YEAR IF: A) THE
ADDITIONAL VOLUME IS STORED USING THE STORAGE CAPACITY OF MACKAY
RESERVIOR, AND B) ALL WATER RIGHTS EXISTING AT THE TIME OF
STORAGE (INCLUDING WATER RIGHTS WITH JUNIOR PRIORITY AND OTHER
RIGHTS FOR STORAGE PURPOSES) THAT ARE WITHIN THEIR PERIOD OF USE
ARE SATISFIED.

PRIORITY DATE: 10/02/1905

POINT OF DIVERSION:	T03N R26E S01	NENESW	(REDIVERSION)	Within BUTTE County
	S12	NENWSE	(REDIVERSION)	
	T04N R26E S26	NWNWNW	(REDIVERSION)	
	T05N R26E S04	NWSESE	(REDIVERSION)	
	T07N R23E S12	SENW		Within CUSTER County
	T06N R24E S01	NENESW	(REDIVERSION)	
	R25E S06	SWNESE	(REDIVERSION)	
	S10	NENESW	(REDIVERSION)	
	S11	SWSESW	(REDIVERSION)	
	S14	SENWSE	(REDIVERSION)	
	S24	NWNWNE	(REDIVERSION)	
	R26E S32	NWSENW	(REDIVERSION)	
	T07N R23E S12	NWNWSE	(REDIVERSION)	
	R24E S18	SESWNE	(REDIVERSION)	
	S20	SWNESW	(REDIVERSION)	
	S33	NWSWNE	(REDIVERSION)	
	S34	SEWNW	(REDIVERSION)	

POINT OF DIVERSION IN T07N, R23E, S12, SENW IS MACKAY DAM
WATER IS DELIVERED THROUGH THE ANGELO, ARCO, B & J,
BECK/MC GOWAN, BURNETT, DARLINGTON, EASTSIDE, HARRIS-VAUGHT,
ISLAND, LOWER BURNETT, MC LAUGHLIN, MIDDLE, MILLER, MOORE,
MUNSEY, SHARP, STREETER, SUTTER, SWAUGER, VANOUS, WESTSIDE AND
3 IN 1 DITCHES OR CANALS; ALL ARE POINTS OF REDIVERSION FROM THE
BIG LOST RIVER.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	20646.0 AFY
	IRRIGATION FROM STORAGE	05-01 10-15	20646.0 AFY

THE PERIOD OF USE FOR IRRIGATION FROM STORAGE DESCRIBED ABOVE
MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR.

PLACE OF USE:	IRRIGATION FROM STORAGE	Within BUTTE and CUSTER Counties		
	T03N R26E S01	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE
		Lot 3 (NENW)	Lot 4 (NWNW)	SENW
		NESW	NWSW	SESW
		NESE	NWSE	SESE

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-10873

PLACE OF USE: (CONT)

T03N R26E S02	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
		NESE		NWSE	SESE	
S12		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S13		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NESE	NWSE	
R27E S05	Lot 4	(NWNW)		SWNW	NWSW	SWSW
S06	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4	(NWNW)	SWNW	SESW
	Lot 6	(NWSW)	Lot 7	(SWSW)	SESW	NESE
		NWSE		SWSE	SESE	
S07		NENE		NWNE	SWNE	SENE
		NENW	Lot 1	(NWNW)	Lot 2	(SWNW)
		NESW		NWSW		SESW
		SWSE		SESE		
S08		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
S17		NENW		NWNW	SWNW	SESW
		NWSW		SWSW		
S18		NENE		NWNE	SWNE	SENE
		NENW	Lot 1	(NWNW)	Lot 2	(SWNW)
		NESW		NWSW		SESW
		NESE		NWSE	SWSE	SESE
		NENE		NWNE	SWNE	SENE
S19						
T04N R26E S02	Lot 2	(NWNW)				
S03	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4	(NWNW)	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S04	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4	(NWNW)	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S05	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE	SENE
		SESW		NESW	NWSW	SWSW
		SESE		NESE	NWSE	SWSE
S07		NENE		SENE	NESE	SESE
S08		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S09		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S10		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S11		NWNW		SWNW	NWSW	SWSW
S14		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S15		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S16		NENE		NWNE	SWNE	SENE
		NENW		NWNW	SWNW	SESW
		NESW		NWSW	SWSW	SESW
		NESE		NWSE	SWSE	SESE
S17		NENE		SWNE	SENE	NWNW
		SWNW		SESW	NESW	NWSW
		SWSW		SESE	NESE	NWSE
		SWSE				
S18		NENE		NWNE	SWNE	SENE
		NESE		NWSE	SWSE	SESE

PLACE OF USE: (CONT)

T04N R26E S19		NENE	NWNE	SWNE	SENE
		NESW	SESW	NESE	NWSE
	S20	SWSE	SESE		
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
	S21	NESW	NWSW	SWSW	NWSE
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE			
	S22	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	NESE	NWSE
		SWSE	SESE		
	S23	NWNE	SWNE	NENW	NWNW
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
	S25	SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
	S26	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S35	NENE	NWNE	SWNE	SENE
		NENW	SENW	NESE	NWSE
		SWSE	SESE		
	S36	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SESW	NESE
		NWSE	SWSE	SESE	
R27E S31	Lot 1	(NWNW)	Lot 2 (SWNW)		NESW
	Lot 3	(NWSW)	Lot 4 (SWSW)		SWSE
		SESE			
T05N R25E S01	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
	S02	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESE	NWSE	SWSE	SESE
		NWSW	SWSW		
R26E S03					
S04	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S05	(NENE)	Lot 2 (NWNE)	SWNE	SENE
		NESE	SWSE	SESE	
	S06	NWNW			
S08		NENE	SENE	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE	SESE		
	S09	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S10	SWNE	NENW	NWNW	SWNW
		SENW	NESW	NWSW	SWSW
		SESW	NWSE	SWSE	SESE
	S14	NWNW	SWNW	NESW	NWSW
		SWSW	SESW		
	S15	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S16	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S17	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE	NWSE	SWSE	SESE

PLACE OF USE: (CONT)

T05N R26E S20		NENE		NWNE		SWNE		SENE
		NESE		NWSE		SWSE		SESE
	S21	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S22	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S23	NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
	S26	NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
	S27	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S28	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S29	NENE		NWNE		SWNE		SENE
		NENW		SENW		NESE		NWSE
		SWSE		SESE				
	S32	NENE		SENE		NESE		SESE
	S33	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S34	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NESW		NWSW	Lot 4	(SWSW)	Lot 5	(SESW)
		NESE		NWSE		SWSE		SESE
	S35	NWNW		SWNW		NWSW		SWSW
T06N R24E S01	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
		NESW		NESE		NWSE		SWSE
		SESE						
	S02	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
		NESW		NWSW		SWSW		NWSE
		SWSE		SESE				
	S03	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	S11	NENE		NWNE		SWNE		SENE
	S12	NENE		NWNE		SWNE		SENE
		NENW		NWNW		SWNW		SENW
		NWSW		NESE				
R25E S01		NESW		SWSW		SESW		NESE
		NWSE		SWSE		SESE		
	S02	SWNE		SWNW		SENW		NESW
		NWSW		SWSW		SESW		NWSE
		SWSE		SESE				
	S03	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S04	(NENE)	Lot 2	(NWNE)	Lot 3	(NENW)	Lot 4	(NWNW)
		SWSW		SESW		SWSE		SESE
	S05	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
		NESW		NWSW		SWSW		SESW
		NESE		NWSE		SWSE		SESE
	S06	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	Lot 3	(NENW)	Lot 4	(NWNW)	Lot 5	(SWNW)		SENW
		NESW	Lot 6	(NWSW)	Lot 7	(SWSW)		SESW
		NESE		NWSE		SWSE		SESE
	S07	NENE		NWNE		SWNE		SENE
		NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
		NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW

PLACE OF USE: (CONT)

T06N R25E	S07	NESE	NWSE	SWSE	SESE
	S08	NENE	NWNE	NENW	NWNW
		SWNW	NWSW	SWSW	NESE
		NWSE	SWSE	SESE	
	S09	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S10	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S11	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S12	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S13	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S14	NENE	NWNE	SENE	NESE
		SWSE	SESE		
	S16	NWNE	NENW	NWNW	SWNW
	S17	SWNE	SENE	NWNW	SWNW
		SENW	NESW	NWSW	NESE
		NWSE	SWSE	SESE	
	S18	NENE	NWNE	SWNE	SENE
		SWSW			
	S21	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	SENE
		Lot 3 (NENW)	Lot 4 (NWNW)	NESE	NWSE
		SESE			
	S22	NWSW	SWSW		
	S23	NENE	SENE	NESE	SESE
	S24	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S25	NENE	NWNE	SWNE	SENE
		NENW	SWNW	SENW	NESW
		NWSW	SWSW	SESW	NESE
		NWSE	SWSE	SESE	
	S26	SESW	SWSE	SESE	
	S27	NWNW	SWNE	SWSW	SESW
		SWSE	Lot 4 (SESE)		
	S28	NENE	SENE	NESE	SESE
	S33	NENE			
	S34	Lot 1 (NENE)	NWNE	SWNE	Lot 2 (SENE)
		NENW	NWNW	SENW	NESW
		Lot 3 (NESE)	NWSE	Lot 4 (SESE)	
	S35	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S36	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
R26E	S05	Lot 4 (SWSW)	Lot 5 (SESW)		
	S06	SWSW	SESE		
	S07	NENE	SWNE	SENE	Lot 1 (NENW)
		NWNW	SWNW	SENW	NESW
		Lot 3 (NWSW)	Lot 4 (SWSW)	SESW	NESE
		NWSE	SWSE	SESE	
	S08	NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
	S17	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW

PLACE OF USE: (CONT)

T06N R26E S17	NESW	NWSW	SWSW	SESW
S18	NESE	NWSE	SWSE	SESE
	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S19	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S20	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S21	SWNW	NESW	NWSW	SWSW
	SESW	SWSE		
S27	NESW	NWSW		
S28	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE	SESE		
S29	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S30	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S31	NENE	NWNE	SWNE	SENE
	NENW	Lot 1 (NWNW)	Lot 2 (SWNW)	SENW
	NESW	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW
	NESE	NWSE	SWSE	SESE
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S33	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NWSE	SWSE
T07N R24E S07	Lot 3 (NWSW)	Lot 4 (SWSW)	SESW	
S17	SWNW	NWSW	SWSW	SESW
S18	NENE	NWNE	SWNE	SENE
	NENW	SENW	NESE	NWSE
	SESE			
S20	NENE	NWNE	SWNE	NENW
	NWNW	NESE	NWSE	SWSE
	SESE			
S21	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S26	SWSW	SESW	SWSE	SESE
S27	NENW	NESW	NWSW	SWSW
	SESW	NESE	NWSE	SWSE
	SESE			
S28	NENE	NWNE	NENW	NWNW
	SWNW	SENW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S29	NENE	NWNE	SENE	NWSE
	SESE			
S33	NWNE	SWNE	SENE	NENW
	NESE	NWSE	SESE	
S34	NENE	NWNE	SWNE	SENE
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE			
S35	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	SWSW	SESW	NESE
	NWSE	SWSE	SESE	
S36	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW

PLACE OF USE: (CONT)

T07N R24E S36	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
R25E S28	SWSW	SESW	NWSE	SWSE
S31	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S33	NWNE	SWNE	SENE	NENW
	NWNW	SWNW	SENW	NESW
	NWSW	SWSW	SESW	NESE
	NWSE	SWSE	SESE	
S35	NENE	NWNE	SWNE	SENE
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF 32,000 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

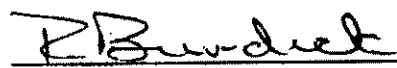
COMBINED RIGHT NOS. 34-00012, 34-00013, 34-00810, 34-00811, 34-00817B, 34-00818, 34-02507 AND 34-10935.

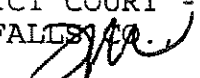
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. SECTION 42-1412(6), IDAHO CODE.

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.


 ROGER BURDICK
 Presiding Judge of the
 Snake River Basin Adjudication

2001 OCT 15 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED 

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-10873

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-10873 was mailed
on October 15, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

BIG LOST RIVER IRRGTN DIST
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

YOUNG HARVEY WALKER

Represented by:
RANDALL C BUDGE
PO BOX 1391
201 E CENTER, STE A2
POCATELLO, ID 83204-1391
Phone: 208-232-6101

ARTHUR W. QUIST

Represented by:
RAY W. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

LITTLE SALMON RIVER WATER USER
PAYETTE RIVER WATER USERS ASSN

Represented by:
SCOTT L. CAMPBELL
101 S CAPITOL BLVD, 10TH FLOOR
PO BOX 829
BOISE, ID 83702-0829
Phone: 208-345-2000

BIG LOST RIVER WATER USERS

Represented by:
WILLIAM R HOLLIFIELD
249 THIRD AVENUE EAST (83301)
PO BOX 66
TWIN FALLS, ID 83303-0066
Phone: 208-734-5610

JAY V JENSEN
RT 1 BOX 112A
MOORE, ID 83255



LETTIE MESSICK
Chief Deputy Clerk

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

In Re SRBA)
)
Case No. 39576)
)
_____)
)

ORDER OF PARTIAL DECREE

For Water Right 34-02507

DATED October 15, 2001.

R. S. Burdick
ROGER S. BURDICK
Presiding Judge
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 34-02507

2001 OCT 15 PM 4:50
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: BIG LOST RIVER IRRIGATION DISTRICT
PO BOX 205
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 6000.0 AFY

A VOLUME OF WATER IN ADDITION TO THE VOLUME DESCRIBED ABOVE
FOR STORAGE PURPOSES MAY BE STORED IN A SINGLE YEAR IF: A) THE
ADDITIONAL VOLUME IS STORED USING THE STORAGE CAPACITY OF MACKAY
RESERVOIR, AND B) ALL WATER RIGHTS EXISTING AT THE TIME OF
STORAGE (INCLUDING WATER RIGHTS WITH JUNIOR PRIORITY AND OTHER
RIGHTS FOR STORAGE PURPOSES) THAT ARE WITHIN THEIR PERIOD OF USE
ARE SATISFIED.

PRIORITY DATE: 09/02/1959

POINT OF DIVERSION: T03N R26E S01 NENESW (REDIVERSION) Within BUTTE County
S12 NENWSE (REDIVERSION)
T04N R26E S26 NWNWNW (REDIVERSION)
T05N R26E S04 NWSSESE (REDIVERSION)

T07N R23E S12 SENW Within CUSTER County
T06N R24E S01 NENESW (REDIVERSION)
R25E S06 SWNESE (REDIVERSION)
S10 NENESW (REDIVERSION)
S11 SWSSEW (REDIVERSION)
S14 SENWSE (REDIVERSION)
S24 NWNWNE (REDIVERSION)
R26E S32 NWSSEW (REDIVERSION)
T07N R23E S12 NWNWSE (REDIVERSION)
R24E S18 SESWNE (REDIVERSION)
S20 SWNESW (REDIVERSION)
S33 NWSWNE (REDIVERSION)
S34 SENWNW (REDIVERSION)

POINT OF DIVERSION IN T07N, R23E, S12, SENW IS MACKAY DAM.
WATER IS DELIVERED THROUGH THE ANGELO, ARCO, B & J,
BECK/MC GOWAN, BURNETT, DARLINGTON, EASTSIDE, HARRIS-VAUGHT,
ISLAND, LOWER BURNETT, MC LAUGHLIN, MIDDLE, MILLER, MOORE,
MUNSEY, SHARP, STREETER, SUTTER, SWAUGER, VANOUS, WESTSIDE AND
3 IN 1 DITCHES OR CANALS; ALL ARE POINTS OF REDIVERSION FROM THE
BIG LOST RIVER.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	6000.0 AFY
	IRRIGATION FROM STORAGE	05-01 10-15	6000.0 AFY

THE PERIOD OF USE FOR IRRIGATION FROM STORAGE DESCRIBED ABOVE
MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR.

PLACE OF USE:	IRRIGATION FROM STORAGE	Within BUTTE and CUSTER Counties		
	T03N R26E S01	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE
		Lot 3 (NENW)	Lot 4 (NWNW)	SWNW
		NESW	NWSW	SWSW
		NESE	NWSE	SWSE
	S02	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE

PLACE OF USE: (CONT)

T03N R26E	S02		NESE		NWSE		SESE	
	S12		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S13		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NESE		NWSE	
	R27E S05	Lot 4	(NWNW)		SWNW		NWSW	SWSW
	S06	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SENW	NESW
		Lot 6	(NWSW)	Lot 7	(SWSW)		SESW	NESE
			NWSE		SWSE		SESE	
	S07		NENE		NWNE		SWNE	SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	SENW
			NESW		NWSW		SWSW	SESW
			SWSE		SESE			
	S08		NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
	S17		NENW		NWNW		SWNW	SENW
	S18		NWSW		SWSW			
			NENE		NWNE		SWNE	SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S19		NENE		NWNE		SWNE	SENE
T04N R26E	S02	Lot 2	(NWNW)					
	S03	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S04	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S05	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE	SENE
			SENW		NESW		SWSW	SESW
			SESW		NESE		NWSE	SWSE
			SESE					
	S07		NENE		SENE		NESE	SESE
	S08		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S09		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S10		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S11		NWNW		SWNW		NWSW	SESW
	S14		NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S15		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S16		NENE		NWNE		SWNE	SENE
			NENW		NWNW		SWNW	SENW
			NESW		NWSW		SWSW	SESW
			NESE		NWSE		SWSE	SESE
	S17		NENE		SWNE		SENE	NWNW
			SWNW		SESW		NWSW	SESW
			SWSW		NESE		NWSE	NWSE
			SWSE		SESE			
	S18		NENE		NWNE		SWNE	SENE
			NESE		NWSE		SWSE	SESE
	S19		NENE		NWNE		SWNE	SENE

PLACE OF USE: (CONT)

T04N R26E S19		NESW	SESW	NESE	NWSE
		SWSE	SESE		
S20		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	NWSE
S21		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE			
S22		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	NESE	NWSE
		SWSE	SESE		
S23		NWNE	SWNE	NENW	NWNW
		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S25		SWNW	SENW	NESW	NWSW
		SWSW	SESW	NWSE	SWSE
		SESE			
S26		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S35		NENE	NWNE	SWNE	SENE
		NENW	SENW	NESE	NWSE
		SWSE	SESE		
S36		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SESW	NESE
		NWSE	SWSE	SESE	
R27E S31	Lot 1	(NWNW)	Lot 2 (SWNW)	SENW	NESW
	Lot 3	(NWSW)	Lot 4 (SWSW)	SESW	SWSE
		SESE			
T05N R25E S01	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S02	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESE	NWSE	SWSE	SESE
R26E S03		NWSW	SWSW		
S04	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3	(NENW)	Lot 4 (NWNW)	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S05	Lot 1	(NENE)	Lot 2 (NWNE)	SWNE	SENE
		NESE	SWSE	SESE	
S06		NWNW			
S08		NENE	SENE	NESW	NWSW
		SWSW	SESW	NESE	NWSE
		SWSE	SESE		
S09		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S10		SWNE	NENW	NWNW	SWNW
		SENW	NESW	NWSW	SWSW
		SESW	NWSE	SWSE	SESE
S14		NWNW	SWNW	NESW	NWSW
		SWSW	SESW		
S15		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S16		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
S17		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESE	NWSE	SWSE	SESE
S20		NENE	NWNE	SWNE	SENE

PLACE OF USE: (CONT)

T05N R26E	S20		NESE		NWSE		SWSE		SESE
	S21		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S22		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S23		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S26		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S27		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S28		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S29		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S32		NENE		NWNE		SWNE		SENE
	S33		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S34		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S35		NWNW		SWNW		NWSW		SWSW
								Lot 4 (SWSW)	Lot 5 (SESW)
T06N R24E	S01	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NESE		NWSE		SWSE
			SESE						
	S02	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SESW		NWSE
			SWSE		SESE				
	S03	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
	S11		NENE		NWNE		SWNE		SENE
	S12		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NWSW		NESE				
	R25E S01		NESW		SWSW		SESW		NESE
			NWSE		SWSE		SESE		
	S02		SWNE		SWNW		SENW		NESW
			NWSW		SWSW		SESW		NWSE
			SWSE		SESE				
	S03	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S04	Lot 1	(NENE)	Lot 2	(NWNE)	Lot 3	(NENW)	Lot 4	(NWNW)
			SWSW		SESW		SWSE		SESE
	S05	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S06	Lot 1	(NENE)	Lot 2	(NWNE)		SWNE		SENE
		Lot 3	(NENW)	Lot 4	(NWNW)	Lot 5	(SWSW)		SENW
			NESW	Lot 6	(NWSW)	Lot 7	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE
			NENE		NWNE		SWNE		SENE
	S07		NENW	Lot 1	(NWNW)	Lot 2	(SWSW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE

PLACE OF USE: (CONT)

T06N R25E S08		NENE	NWNE	NENW	NWNW
		SWNW	NWSW	SWSW	NESE
S09		NWSE	SWSE	SESE	
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S10		NESE	NWSE	SWSE	SESE
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S11		NESE	NWSE	SWSE	SESE
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S12		NESE	NWSE	SWSE	SESE
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S13		NESE	NWSE	SWSE	SESE
		NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
S14		NESE	NWSE	SWSE	SESE
		NENE	NWNE	SWNE	NESE
S16		SWSE	SESE		
S17		NWNE	NENW	NWNW	SWNW
		SWNE	SENE	NWNW	SWNW
		SENW	NESW	NWSW	NESE
		NWSE	SWSE	SESE	
S18		NENE	NWNE	SWNE	SENE
		SWSW			
S21	Lot 1	(NENE)	Lot 2	(NWNE)	SWNE
	Lot 3	(NENW)	Lot 4	(NWNW)	NESE
		SESE			SENE
S22		NWSW		SWSW	NWSE
S23		NENE		SENE	
S24		NENE		NWNE	NESE
		NENW		NWNW	SESE
		NESW		NWSW	SENE
		NESE		NWSE	SENW
S25		NENE		NWNE	SESE
		NENW		SWNW	SENE
		NWSW		SWSW	NESW
		NWSE		SWSE	NESE
S26		SESW		SWSE	
S27		NWNW		SWNE	SESW
		SWSE	Lot 4	(SESE)	
S28		NENE		SENE	SESE
S33		NENE			
S34	Lot 1	(NENE)		NWNE	SWNE
		NENW		NWNW	SENW
	Lot 3	(NESE)		NWSE	(SESE)
S35		NENE		NWNE	SWNE
		NENW		NWNW	SENW
		NESW		NWSW	SESW
		NESE		NWSE	SESE
S36		NENE		NWNE	SENE
		NENW		NWNW	SENW
		NESW		NWSW	SESW
		NESE		NWSE	SESE
R26E S05	Lot 4	(SWSW)	Lot 5	(SESW)	
S06		SWSW		SESE	
S07		NENE		SWNE	SENE
		NWNW		SWNW	SENW
	Lot 3	(NWSW)	Lot 4	(SWSW)	SESW
		NWSE		SWSE	SESE
S08		NENW		NWNW	SENW
		NESW		NWSW	SESW
S17		NENE		NWNE	SENE
		NENW		NWNW	SENW
		NESW		NWSW	SESW

PLACE OF USE: (CONT)

T06N R26E S17	S18		NESE		NWSE		SWSE		SESE
			NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
	S19		NESE		NWSE		SWSE		SESE
			NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW		NWSW		SWSW		SESW
	S20		NESE		NWSE		SWSE		SESE
			NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
	S21		NESE		NWSE		SWSE		SESE
			SWNW		NESW		NWSW		SWSW
	S27		SESW		SWSE				
			NESW		NWSW				
	S28		NWNE		SWNE		NENW		NWNW
			SWNW		SENW		NESW		NWSW
			SWSW		SESW		NESE		NWSE
			SWSE		SESE				
	S29		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S30		NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE
	S31		NENE		NWNE		SWNE		SENE
			NENW	Lot 1	(NWNW)	Lot 2	(SWNW)		SENW
			NESW	Lot 3	(NWSW)	Lot 4	(SWSW)		SESW
			NESE		NWSE		SWSE		SESE
	S32		NENE		NWNE		SWNE		SENE
			NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S33		NWNE		SWNE		NENW		NWNW
			SWNW		SENW		NESW		NWSW
			SWSW		SESW		NWSE		SWSE
T07N R24E S07	S17	Lot 3	(NWSW)		(SWSW)		SESW		SESW
							NWSW		SENE
	S18		NENE		NWNE		SWNE		NWSE
			NENW		SENW		NESE		
			SESE						
			NENE		NWNE		SWNE		NENW
	S20		NWNW		NESE		NWSE		SWSE
			SESE						
	S21		NESW		NWSW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
	S26		SWSW		SESW		SWSE		SESE
			NENW		NESW		NWSW		SWSW
	S27		SESW		NESE		NWSE		SWSE
			SESE						
	S28		NENE		NWNE		NENW		NWNW
			SWNW		SENW		SWSW		SESW
			NESE		NWSE		SWSE		SESE
			NENE		NWNE		SENE		NWSE
	S29		SESE						
			NWNE		SWNE		SENE		NENW
	S33		NESE		NWSE		SESE		
			NENE		NWNE		SWNE		SENE
	S34		SWNW		SENW		NESW		NWSW
			SWSW		SESW		NESE		NWSE
			SWSE						
			NENE		NWNE		SWNE		SENE
	S35		NENW		NWNW		SWNW		SENW
			NESW		SWSW		SESW		NESE
			NWSE		SWSE		SESE		
			NENE		NWNE		SWNE		SENE
	S36		NENW		NWNW		SWNW		SENW
			NESW		NWSW		SWSW		SESW

PLACE OF USE: (CONT)

T07N R24E S36	NESE	NWSE	SWSE	SESE
R25E S28	SWSW	SESW	NWSE	SWSE
S31	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S33	NWNE	SWNE	SENE	NENW
	NWNW	SWNW	SENW	NESW
	NWSW	SWSW	SESW	NESE
	NWSE	SWSE	SESE	
S35	NENE	NWNE	SWNE	SENE
	NESW	NWSW	SWNW	SESW
	NESE	NWSE	SWSE	SESE

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF 32,000 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS. 34-00012, 34-00013, 34-00810, 34-00811, 34-00817B, 34-00818, 34-10873 AND 34-10935.

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. SECTION 42-1412(6), IDAHO CODE.

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.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

FALLS

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)
)

Water Right(s) : 34-02507

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-02507 was mailed on October 15, 2001, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

BIG LOST RIVER IRRGTN DIST
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

YOUNG HARVEY WALKER

Represented by:
RANDALL C BUDGE
PO BOX 1391
201 E CENTER, STE A2
POCATELLO, ID 83204-1391
Phone: 208-232-6101

ARTHUR W. QUIST

Represented by:
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PO BOX 250
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Phone: 208-356-3633

LITTLE SALMON RIVER WATER USER
PAYETTE RIVER WATER USERS ASSN

Represented by:
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BIG LOST RIVER WATER USERS

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JAY V JENSEN

RT 1 BOX 112A
MOORE, ID 83255



LETTIE MESSICK
Chief Deputy Clerk