

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 01-10223

**1. Name and  
address of owner:**

UNITED STATES OF AMERICA, as trustee for the benefit  
of the SHOSHONE-BANNOCK TRIBES OF THE FORT  
HALL INDIAN RESERVATION acting through the  
DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

Snake River / Sand Creek

**3. Annual Diversion  
Volume:**

100,000 acre-feet per year (AFY) increasing to 115,000  
AFY as (1) future reservation lands are irrigated from this  
source, or (2) as corresponding amounts of the water rights  
for the ceded lands of the Fort Hall Irrigation Project are  
relinquished by the United States.

**4. Diversion Rate:**

390.00 CFS increasing to 470.0 CFS at the same relative  
rate as the volume in (3) above.

**5. Annual Volume of  
Consumptive Use:**

60,986 AFY

**6. Priority Date:**

June 14, 1867

**7. Points of Diversion:**

SESWNE Sec 31 Twp 1N Rge 37E BM  
(Snake River into Reservation Canal)  
NENWNW Sec 7 Twp 2S Rge 37E BM  
(Sand Creek into Reservation Canal)  
Points of Injection:  
NESWSE Sec 24 Twp 2S Rge 36E BM  
(Reservation Canal into Blackfoot River)  
Points of Rediversion:  
NENENE Sec 13 Twp 3S Rge 35E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM  
(Blackfoot River into North Canal)

Future Points of diversion may be developed in accordance with paragraph II.C.3, II.C.4, and II.C.5 of the Revised Consent Decree

**8. Purposes and Periods of Use:**

Irrigation 3/15 to 11/15

**9. Place of Use:**

14,687 present and 8,672 future acres for a total of 23,359 acres within the Reservation.

**10. Basis of Right:**

*Winters Doctrine*

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

- a. The rate of diversion for this water right shall be measured at the head of the Reservation Canal located at SESWNE Sec 31 Twp 1N Rge 37E BM.
- b. The volume of diversion for this water right shall be measured at the Drop located in SENWSE Sec 13 Twp 2S Rge 36E BM downstream from the point at which Sand Creek empties into the Reservation Canal.
- c. This right combined with water right nos. 27-11375, 27-02007, and 25-02160 provide the water supply for up to 53,828 acres from the combined water sources but none of the limitations of diversion rate or volume shall be exceeded for this right in providing the water supply.
- d. The available inflow to the Reservation Canal upstream from the Drop, including Sand Creek, shall be counted as part of this water right up to the demand of the North and Main Canals. The portion of Sand Creek that was used with the control afforded by the Equalizing Reservoir under conditions existing in 1989 shall continue to be used when the Snake River is under regulation by the Snake River Watermaster and will be considered part of this water right. When the Snake River is under regulation by the Snake River Watermaster fifteen percent (15%) of the computed Sand Creek flows, when returned to the Snake River through the Blackfoot River because of lack of control with the present Equalizing Reservoir, shall be considered as natural flow credited to downstream water

users and for which no exchange of storage will be required. All of the remaining Sand Creek water not diverted through the Main and North Canals because of the physical limitations of the Equalizing Reservoir, in excess of fifteen percent (15%) up to 50,000 AFY as determined by gaging, when the Snake River is under regulation by the Snake River Watermaster shall be delivered to the North Side Canal Company in exchange for an equal amount of storage water from Palisades or Jackson Lake Reservoirs. The actual storage water from Palisades or Jackson Lake Reservoirs will be released to meet the Snake River diversion requirements of the Tribes that would have been met by Sand Creek. This water shall be deemed the first storage water released from the American Falls Reservoir for the North Side Canal Company. *[This paragraph was formerly known as paragraph x.d. for purposes of Partial Decree 01-10223 in the 1995 Partial Consent Decree and the Revised Consent Decree ]*

IT IS SO ORDERED

DATED this 13th day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
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  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 01-10248

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
- 2. **Source of Water:** Snake River
- 3. **Annual Diversion Volume:** 60,000 acre-feet per year (AFY)
- 4. **Diversion Rate:** 260 CFS
- 5. **Annual Volume of Consumptive Use:** 33,222 AFY
- 6. **Priority Date:** December 14, 1891
- 7. **Points of Diversion:** SESWNE Sec 31 Twp 1N Rge 37E BM (Snake River into Reservation Canal)  
Points of Injection:  
NESWSE Sec 24 Twp 2S Rge 36E BM (Reservation Canal into Blackfoot River)  
Points of Rediversion:  
NENENE Sec 13 Twp 3S Rge 35E BM (Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM (Blackfoot River into North Canal)
- 8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
- 9. **Place of Use:** 13,630.13 acres within the Fort Hall Irrigation Project. This right combined with water right nos. 27-11560, 27-11561

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

**10. Basis of Right:**

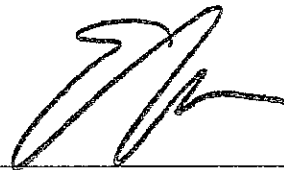
Rexburg Decree for Snake River

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

- a. This right is used in combination with water right no. 27-11560. The combined diversion rate of this right and water right no. 27-11560 shall not exceed 260 CFS and the combined diversion volume shall not exceed 60,000 AFY.
- b. To the extent a non- Indian water user is adjudicated a non-Project water right for Project lands, the amount of that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.
- c. As the United States and owners of lands within the ceded area relinquish their rights to use water under this right on the Project lands the cap on the annual diversion rate and volume of water right no. 01-10223 shall be increased by a like amount until the ultimate diversion rate of 470 c.f.s. and ultimate diversion volume of 115,000 AFY for right no. 01-10223 are reached.
- d. This water right and water right nos. 27-11560, 27-11561 and 25-13615 are to be used on Project lands. The total annual volume of consumptive use from these rights shall not exceed 33,222 AFY.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

Clerk

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 25-02160

- 1. Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
- 2. Source of Water:** Grays Lake
- 3. Annual Diversion Volume:** 100,000 acre-feet per year (AFY)
- 4. Diversion Rate:** Not limited
- 5. Annual Volume of Consumptive Use:** Included in the water right nos. 01-10223 and 27-11375.
- 6. Priority Date:** August 23, 1919
- 7. Points of Diversion:** SWSWSW Sec 1 Twp 5S Rge 42E BM (Grays Lake/Clarks Cut Canal)  
Points of Rediversion:  
NWNW Sec 12 Twp 5S Rge 40E BM  
(Blackfoot Reservoir)  
SENWNW Sec 7 Twp 2S Rge 38E BM  
(Blackfoot River into Little Indian Canal)  
NENENE Sec 13 Twp 3S Rge 35E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM  
(Blackfoot River into North Canal)
- 8. Purposes and Periods of Use:**

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

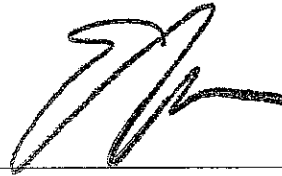
10. Basis of Right: Permits

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

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

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA 3  
Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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

Clerk

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 25-13615

**1. Name and address of owner:**

UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

Grays Lake

**3. Annual Diversion Volume:**

25,500 acre-feet per year (AFY)

**4. Diversion Rate:**

Not limited

**5. Annual Volume of Consumptive Use:**

Included in water right no. 01-10248

**6. Priority Date:**

August 23, 1919

**7. Points of Diversion:**

SWSWSW Sec 1 Twp 5S Rge 42E BM  
(Grays Lake/Clarks Cut Canal)  
Points of Rediversion:  
NWNE Sec 12 Twp 5S Rge 40E BM  
(Blackfoot Reservoir)  
SENWNW Sec 7 Twp 2S Rge 38E BM  
(Blackfoot River into Little Indian Canal)  
NENENE Sec 13 Twp 3S Rge 35E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM  
(Blackfoot River into North Canal)

**8. Purposes and Periods of Use:**

Storage for Irrigation	1/1 to 12/31
Irrigation from Storage	3/15 to 11/15



9. **Place of Use:** 13,630.13 acres within the Fort Hall Irrigation Project. This right combined with water right nos. 01-10248, 27-11560 and 27-11561 may be used to irrigate not more than 12,667.2 acres within the 13,630.13 Project acres.

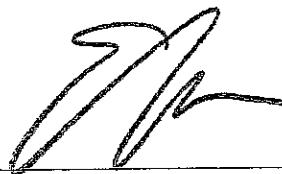
10. **Basis of Right:** Permits

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

- a. To the extent a non- Indian water user is adjudicated a non-Project water right for Project lands, the amount of that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.
- b. The redirection of water from storage under this water right and water right nos. 01-10248, 27-11560 and 27-11561 is to be used on Project lands. The total annual volume of consumptive use from these rights shall not exceed 33,222 AFY.
- c. The total annual diversion under this right and water right no. 27-11561 shall not exceed 25,500 AFY.
- d. The total annual volume of water stored under this right and water right no. 25-02160 shall not exceed 100,000 acre-feet.
- e. The first 25,500 AF of water stored each year in Blackfoot Reservoir and Grays Lake will be used to satisfy the 25,500 AFY diversion volume of this right and water right no. 27-11561.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

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Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

By \_\_\_\_\_ Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 25-13616

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Meadow Creek and tributaries and Grays Lake and tributaries
3. **Annual Diversion Volume:** 14.54 acre-feet per year (AFY)
4. **Diversion Rate:** 0.20 CFS
5. **Annual Volume of Consumptive Use:** De minimis
6. **Priority Date:** March 1, 1907
7. **Points of Diversion:** Twp 3S, Rge 43E, BM  
Twp 4S, Rge 42E, BM  
Twp 4S, Rge 43E, BM  
Twp 5S, Rge 42E, BM  
Twp 5S, Rge 43E, BM
8. **Purposes and Periods of Use:** Stock Water 1/1 to 12/31

9. **Place of Use:** Those lands used by the Bureau of Indian Affairs for stock grazing in:  
Twp 3S, Rge 43E, BM  
Twp 4S, Rge 42E, BM  
Twp 4S, Rge 43E, BM  
Twp 5S, Rge 42E, BM  
Twp 5S, Rge 43E, BM

10. **Basis of Right:** Beneficial Use

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

a. Water will be used for stock water for range cattle for the grazing rights associated with Grays Lake.

IT IS SO ORDERED

DATED this 13 day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 27-02007

**1. Name and address of owner:**

UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

Blackfoot River

**3. Annual Diversion Volume:**

348,000 acre-feet per year (AFY)

**4. Diversion Rate:**

Not limited

**5. Annual Volume of Consumptive Use:**

Included in water right nos. 01-10223 and 27-11375.

**6. Priority Date:**

September 3, 1907

**7. Points of Diversion:**

NWNE Sec 12 Twp 5S Rge 40E BM  
(Blackfoot River into Blackfoot Reservoir)  
Points of Rediversion:  
SENWNW Sec 7 Twp 2S Rge 38E BM  
(Blackfoot River into Little Indian Canal)  
NENENE Sec 13 Twp 3S Rge 35E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM  
(Blackfoot River into North Canal)

**8. Purposes and Periods of Use:**

Irrigation from storage            3/15 to 11/15, 348,000 AFY  
Storage for Irrigation            1/1 to 12/31, 348,000 AFY

**9. Place of Use:**

30,469 present and future acres within the Reservation.

**10. Basis of Right:**

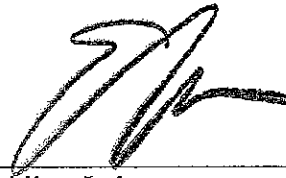
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**11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:**

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

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 of the Final Unified Decree

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

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 27-11373

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Ross Fork Creek/Ross Fork Basin groundwater
3. **Annual Diversion Volume:** 5,000 acre-feet per year (AFY)
4. **Diversion Rate:** 29.07 CFS
5. **Annual Volume of Consumptive Use:** 3,320 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** SENWNE Sec 4, SESENE Sec 10, SENWSW Sec 17, SWSESW Sec 21, NESWNW Sec 34 all in Twp 5S Rge 36E BM  
NWNWSE Sec 31 (2 POD), SWSWSE Sec 33 all in Twp 4S Rge 36E BM  
NENENE Sec 36 Twp 4S Rge 35E BM  
Future Points of Diversion may be developed as needed within the Ross Fork Creek basin to utilize this water right within the Ross Fork Creek basin.
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 1,503 present and future acres within the Ross Fork Creek basin.

10. Basis of Right:


*Winters Doctrine*

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

- a. The Tribes shall have the ~~option of using surface~~ water or groundwater diverted within the Ross Fork Creek basin to satisfy this right, in whole or in part, provided that any diversions of surface water or groundwater by the Tribes in excess of 5,000 AFY from the Ross Fork Creek Basin shall be charged against water right no. 27-11376.

IT IS SO ORDERED

DATED this 13th day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 27-11374

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
- 2. **Source of Water:** Lincoln Creek/Lincoln Creek Basin groundwater
- 3. **Annual Diversion Volume:** 5,700 acre-feet per year (AFY)
- 4. **Diversion Rate:** 33.00 CFS
- 5. **Annual Volume of Consumptive Use:** 3,768 AFY
- 6. **Priority Date:** June 14, 1867
- 7. **Points of Diversion:** NENESE Sec 25 Twp 3S Rge 36E BM  
NENWSE Sec 31 Twp 3S Rge 36E BM  
Future points of diversion may be developed as needed within the Lincoln Creek Basin to utilize this water right within the Lincoln Creek drainage basin.
- 8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
- 9. **Place of Use:** 1,701 present and future acres within the Lincoln Creek basin.
- 10. **Basis of Right:** *Winters* Doctrine

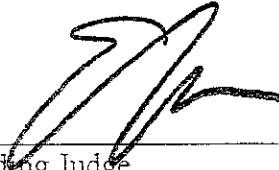


**11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:**

a. The Tribes shall have the option of using surface water or groundwater diverted within the Lincoln Creek basin to satisfy this right, in whole or in part, provided that any diversions of surface water or groundwater by the Tribes in excess of 5,700 AFY from the Lincoln Creek basin shall be charged against water right no. 27-11376.

IT IS SO ORDERED

DATED this 13th day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

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Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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

By ~~THE STATE~~  
Clerk  
Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 27-11375

**1. Name and address of owner:**

UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

Blackfoot River

**3. Annual Diversion Volume:**

150,000 acre-feet per year (AFY)

**4. Diversion Rate:**

1,380 CFS

**5. Annual Volume of Consumptive Use:**

79,546 AFY

**6. Priority Date:**

June 14, 1867

**7. Points of Diversion:**

SENWNW Sec 7 Twp 2S Rge 38E BM  
(Blackfoot River into Little Indian Canal)  
NENENE Sec 13 Twp 3S Rge 35E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM  
(Blackfoot River into North Canal)  
SWSESW Sec. 3 Twp 7S Rge 32E BM  
SENWSE Sec. 3 Twp 7S Rge 32E BM  
NWNWSW Sec. 2 Twp 7S Rge 32E BM  
NESENW Sec. 2 Twp 7S Rge 32E BM  
NWNENE Sec. 1 Twp 7S Rge 32E BM  
SWNWNW Sec. 6 Twp 7S Rge 33E BM  
NESESW Sec. 6 Twp 7S Rge 33E BM  
NESESW Sec. 6 Twp 7S Rge 33E BM  
SWSWSW Sec. 30 Twp 6S Rge 33E BM  
Future Points of Diversion may be developed to divert water from (1) anywhere on the Blackfoot River or (2) ground water within the Reservation as described in

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

**8. Purposes and Periods of Use:**

Irrigation 3/15 to 11/15

**9. Place of Use:**

30,469 present and future acres within the Reservation.

**10. Basis of Right:**

*Winters* Doctrine.

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

a. If the natural flow of the Blackfoot River is not sufficient to satisfy this right and other rights to divert Blackfoot River natural flow pursuant to state law, the Tribes may satisfy this right by using water right nos. 27-02007 and 25-02160, provided that the combined use in satisfaction of this right shall not exceed 150,000 AFY.

b. If the diversions under this right exceed 150,000 AFY, the amount in excess of 150,000 AFY shall be charged against water right no. 01-10223.

c. This right combined with water right nos. 01-10223, 27-02007 and 25-02160 can be used to irrigate up to 53,828 present and future acres from the combined water sources.

d. The Tribes and United States agree to exercise this water right in a manner that ensures persons diverting natural flow from the Blackfoot River under water rights listed on Attachment E to the Revised Partial Final Consent Decree dated August 13, 2014, and under *de minimis* domestic and stock water rights with a priority date earlier than January 1, 1990, will continue to receive their full legal entitlement under state law. "*De minimis* domestic water right" for purposes of this paragraph means (a) the use of water for homes, organization camps, public campgrounds, livestock and for any purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen (sic) (13,000) gallons per day, or 14.5 acre-feet per year or less for storage, or (b) and other uses, if the total use does not exceed a diversion rate of four one-hundreds (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day. Domestic rights shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume

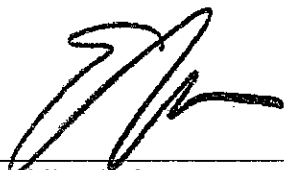
limitation set forth in (b) above. “*De minimis* stock water right” for purposes of this paragraph means the use of water solely for livestock or wildlife where the total diversion is not in excess of thirteen thousand (13,000) gallons per day or 14.5 acre-feet per year or less for storage. These state created water rights listed on Attachment E to the Revised Partial Final Consent Decree dated August 13, 2014, are estimated to divert not more than 45,000 AFY of water from the Blackfoot River. The Blackfoot River Equitable Adjustment Settlement Agreement Pursuant to the 1990 Fort Hall Indian Water Rights Settlement Agreement set forth in Attachment F to the Revised Partial Final Consent Decree dated August 13, 2014, provides for an equitable adjustment to this water right in the event the Primary Volume diversions under the partial decrees listed on Attachment E to the Revised Partial Final Consent Decree dated August 13, 2014, exceed 45,000 AFY. *[This paragraph was formerly known as paragraph x.d for purposes of the Blackfoot River Water Management Plan, the Blackfoot River Equitable Adjustment Settlement Agreement, the Partial Decrees identified in Attachment E and the Revised Partial Final Consent Decree.]*

e. The Tribes and the United States shall exercise this right in a manner that will not impair the project entitlements of the Fort Hall Irrigation Project water users.

f. If the water supplied under this right and water right nos. 27-02007 and 25-02160 does not provide 150,000 AFY, the Tribes may divert groundwater within the Reservation under this right, exclusive of the water right nos. 27-11376 and 29-12052, such that the combined water supply from water right nos. 27-02007 and 25-02160 and surface and groundwater under this right yields 150,000 AFY.

IT IS SO ORDERED

DATED this 13th day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 27-11376

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
- 2. **Source of Water:** Groundwater within the Reservation
- 3. **Annual Diversion Volume:** 125,000 acre-feet per year (AFY)
- 4. **Diversion Rate:** 813.40 CFS
- 5. **Annual Volume of Consumptive Use:** 93,615 AFY
- 6. **Priority Date:** June 14, 1867
- 7. **Points of Diversion:** SWSESW Sec. 3 Twp 7S Rge 32E BM  
SEWSE Sec. 3 Twp 7S Rge 32E BM  
NWNWSW Sec. 2 Twp 7S Rge 32E BM  
NESENW Sec. 2 Twp 7S Rge 32E BM  
NWNENE Sec. 1 Twp 7S Rge 32E BM  
SWNWNW Sec. 6 Twp 7S Rge 33E BM  
NESESW Sec. 6 Twp 7S Rge 33E BM  
NESESW Sec. 6 Twp 7S Rge 33E BM  
SWSWSW Sec. 30 Twp 6S Rge 33E BM  
SESWSE Sec. 31 Twp 5S Rge 33E BM  
SESWNE Sec. 32 Twp 5S Rge 33E BM  
SWSENW Sec. 32 Twp 5S Rge 33E BM  
SWSESE Sec. 32 Twp 5S Rge 33E BM  
SWSESW Sec. 33 Twp 5S Rge 33E BM  
NESESE Sec. 33 Twp 5S Rge 33E BM  
SESESW Sec. 34 Twp 5S Rge 33E BM  
SESENE Sec. 34 Twp 5S Rge 33E BM  
SESWSE Sec. 35 Twp 5S Rge 33E BM

SESWNE Sec. 3 Twp 6S Rge 33E BM  
 SESWNW Sec. 3 Twp 6S Rge 33E BM  
 NWNENW Sec. 4 Twp 6S Rge 33E BM  
 NENWNW Sec. 6 Twp 6S Rge 33E BM  
 NWNENE Sec. 1 Twp 6S Rge 32E BM  
 NWNENW Sec. 1 Twp 6S Rge 32E BM  
 SENWNE Sec. 2 Twp 6S Rge 32E BM  
 NESESE Sec. 2 Twp 6S Rge 32E BM  
 SWNESW Sec. 1 Twp 6S Rge 32E BM  
 SWSESW Sec. 6 Twp 6S Rge 33E BM  
 SENENE Sec. 8 Twp 6S Rge 33E BM  
 SENWNW Sec. 8 Twp 6S Rge 33E BM  
 SENENE Sec. 7 Twp 6S Rge 33 E BM  
 NENWNE Sec. 12 Twp 6S Rge 33E BM  
 SENWNW Sec. 12 Twp 6S Rge 32E BM  
 NESWNE Sec. 11 Twp 6S Rge 32E BM  
 SWSESE Sec. 12 Twp 6S Rge 32E BM  
 NWSESW Sec. 8 Twp 6S Rge 33E BM  
 SENESW Sec. 8 Twp 6S Rge 33E BM  
 NWNENW Sec. 18 Twp 6S Rge 33E BM  
 SWNWNE Sec. 13 Twp 6S Rge 32E BM  
 SENENW Sec. 13 Twp 6S Rge 32E BM  
 SESENE Sec. 24 Twp 6S Rge 32E BM  
 SESWSE Sec. 23 Twp 6S Rge 32E BM  
 SWSESW Sec. 23 Twp 6S Rge 32E BM  
 NESWSE Sec. 22 Twp 6S Rge 32E BM  
 SENWSW Sec. 22 Twp 6S Rge 32E BM  
 SESENE Sec. 28 Twp 6S Rge 32E BM  
 NWSENW Sec. 27 Twp 6S Rge 32E BM  
 SWNESW Sec. 27 Twp 6S Rge 32E BM  
 SWSESW Sec. 28 Twp 6S Rge 32E BM  
 NESESE Sec. 29 Twp 6S Rge 32E BM  
 NWNWNW Sec. 33 Twp 6S Rge 32E BM  
 SESWNE Sec. 5 Twp 7S Rge 33E BM  
 SWSESE Sec. 7 Twp 7S Rge 33E BM  
 NESENE Sec. 21 Twp 3S Rge 35E BM  
 NWNWNW Sec. 6 Twp 4S Rge 35 E BM  
 SESESW Sec. 16 Twp 4S Rge 34E BM  
 NWNWSE Sec. 26 Twp 3S Rge 34E BM  
 Future points of diversion may be developed to utilize this water right on any Indian lands.

**8. Purposes and Periods of Use:**

Irrigation	3/15 to 11/15, 115,000 AFY
DCMI	1/1 to 12/31, 10,000 AFY

9. **Place of Use:** 42,592 present and future acres for irrigation within the Reservation. Present and future DCMJ uses on any Indian lands.

10. **Basis of Right:** *Winters Doctrine*

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

a. If the Tribes' combined surface water and groundwater diversions from the Ross Fork Creek basin exceed 5,000 AFY, or the Tribes' combined surface water and groundwater diversions from the Lincoln Creek basin exceed 5,700 AFY, such excesses shall be charged against this Tribal groundwater right.

b. The nine wells used to supplement the surface water portion of the Michaud Division divert water included in this Tribal water right.

c. Lot Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of Block No. 191; Lot No. 1 of Block 192; Lot Nos. 1, 2, 3, 4, 5, 6, 7, and 8 of Block No. 196; Lot Nos. 19 and 20 of Block No. 341; Lot No. 5 of Block No. 593; and Lot No. 7 of Block No. 599 within the City of Pocatello remain Indian lands and may utilize water under this water right. Water diverted or withdrawn under this right from diversion points or structures located on said lots shall be used only for domestic, commercial, municipal or industrial uses occurring on any said lots.

d. Allotment Nos. T-8, 45, 46, 48, 50, 61, 71 and 72 within the Portneuf River basin may utilize water under this right.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

Clerk

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 27-11560

**1. Name and  
address of owner:**

UNITED STATES OF AMERICA, for the benefit  
of the non-Indian owned lands within the  
Fort Hall Irrigation Project and for the  
Bureau of Indian Affairs, acting through the  
DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

Sand Creek

**3. Annual Diversion  
Volume:**

60,000 acre-feet per year (AFY)

**4. Diversion Rate:**

260 CFS

**5. Annual Volume of  
Consumptive Use:**

Included in water right no. 01-10248

**6. Priority Date:**

April 4, 1914

**7. Points of Diversion:**

NENWNW Sec. 7, Twp 2S, Rge 37E BM  
(Sand Creek into Reservation Canal)  
Points of Injection:  
NESWSE Sec 24 Twp 2S Rge 36 E BM  
(Reservation Canal into Blackfoot River)  
Points of Rediversion:  
NENENE Sec 13 Twp 3S Rge 35 E BM  
(Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35 E BM  
(Blackfoot River into North Canal)

**8. Purposes and Periods  
of Use:**

Irrigation 3/15 to 11/15

**9. Place of Use:**

13,630.13 acres within the Fort Hall Irrigation Project. This  
right combined with water right nos. 01-10248, 27-11561



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

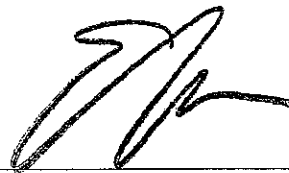
**10. Basis of Right:** Beneficial Use

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

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

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

County of Twin Falls - State of Idaho

AUG 13 2014

By \_\_\_\_\_ Clerk

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

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 27-11561

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Blackfoot River
3. **Annual Diversion Volume:** 25,500 acre-feet per year (AFY)
4. **Diversion Rate:** Not limited
5. **Annual Volume of Consumptive Use:** Included in water right no. 01-10248
6. **Priority Date:** September 3, 1907
7. **Points of Diversion:** NWNE Sec 12 Twp 5S Rge 40E BM (Blackfoot River into Blackfoot Reservoir)  
Points of Rediversion:  
SENWNW Sec 7 Twp 2S Rge 38E BM (Blackfoot River into Little Indian Canal)  
NENENE Sec 13 Twp 3S Rge 35E BM (Blackfoot River into Fort Hall Main Canal)  
NWNENW Sec 14 Twp 3S Rge 35E BM (Blackfoot River into North Canal)
8. **Purposes and Periods of Use:**

Storage for Irrigation	1/1 to 12/31
Irrigation from Storage	3/15 to 11/15
9. **Place of Use:** 13,630.13 acres within the Fort Hall Irrigation Project. This right combined with water right nos. 01-10248, 27-11560

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

**10. Basis of Right:** License

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

a. To the extent a non-Indian water user is adjudicated a non-Project water right for Project lands, the amount of that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.

b. The rediversion of water from storage under this water right and water right nos. 01-10248, 27-11560 and 25-13615 is to be used on Project lands. The total annual volume of consumptive use from these rights shall not exceed 33,222 AFY.

c. The total annual diversion under this right and water right no. 25-13615 shall not exceed 25,500 AFY.

d. The total annual volume of water stored under this right and water right no. 27-02007 shall not exceed 348,000 acre-feet.

e. The first 25,500 AF of water stored each year in Blackfoot Reservoir and Grays Lake will be used to satisfy the 25,500 AFY diversion described in this water right and water right no. 25-13615.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

County of Twin Falls - State of Idaho

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 27-11562

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Blackfoot River and tributaries and the Blackfoot Reservoir and tributaries
3. **Annual Diversion Volume:** 14.54 acre-feet per year (AFY)
4. **Diversion Rate:** 0.20 CFS
5. **Annual Volume of Consumptive Use:** De minimis
6. **Priority Date:** March 1, 1907
7. **Points of Diversion:** Twp 7S, Rge 41E, BM  
Twp 7S, Rge 42E, BM  
Twp 6S, Rge 41E, BM  
Twp 6S, Rge 42E, BM  
Twp 5S, Rge 40E, BM  
Twp 5S, Rge 41E, BM  
Twp 5S, Rge 42E, BM  
Twp 4S, Rge 40E, BM  
Twp 4S, Rge 41E, BM
8. **Purposes and Periods of Use:** Stock Water 1/1 to 12/31

9. **Place of Use:** Those lands used by the Bureau of Indian Affairs for stock grazing in:  
Twp 7S, Rge 41E, BM  
Twp 7S, Rge 42E, BM  
Twp 6S, Rge 41E, BM  
Twp 6S, Rge 42E, BM  
Twp 5S, Rge 40E, BM  
Twp 5S, Rge 41E, BM  
Twp 5S, Rge 42E, BM  
Twp 4S, Rge 40E, BM  
Twp 4S, Rge 41E, BM

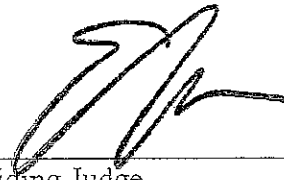
10. **Basis of Right:** Beneficial Use

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

a. Water will be used for stock water for range cattle for the grazing rights associated with Blackfoot Reservoir.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 27-11563

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Blackfoot River and tributaries and the Equalizing Reservoir and tributaries
3. **Annual Diversion Volume:** 0.70 acre-feet per year (AFY)
4. **Diversion Rate:** 0.01 CFS
5. **Annual Volume of Consumptive Use:** De minimis
6. **Priority Date:** March 1, 1907
7. **Points of Diversion:** Twp 3S, Rge 36E, BM  
Twp 3S, Rge 35E, BM
8. **Purposes and Periods of Use:** Stock Water 1/1 to 12/31
9. **Place of Use:** Those lands used by the Bureau of Indian Affairs for stock grazing in:  
Twp 3S, Rge 36E, BM  
Twp 3S, Rge 35E, BM
10. **Basis of Right:** Beneficial Use

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

- a. Water will be used for stock water for range cattle for the grazing rights associated with the Equalizing Reservoir.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
By \_\_\_\_\_ Clerk  
Deputy Clerk

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

In re SRBA Case No. 39576 | PARTIAL DECREE FOR Federal Reserved Water Right 27-11564

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
- 2. **Source of Water:** Groundwater
- 3. **Annual Diversion Volume:** 224 acre-feet per year (AFY)
- 4. **Diversion Rate:** 1.84 CFS
- 5. **Annual Volume of Consumptive Use:** 164 AFY
- 6. **Priority Date:** July 3, 1868
- 7. **Points of Diversion:** SWNESW Sec. 36, Twp 4S, Rge 34E, BM (two POD)
- 8. **Purposes and Periods of Use:**
  - Domestic, Commercial, Municipal, and Industrial Uses 1/1 to 12/31
  - Irrigation 3/15 to 11/15
- 9. **Place of Use:** Various locations on the S1/2 Sec. 36, Twp 4S, Rge 34E, BM (approximately 80 acres)
- 10. **Basis of Right:** Federal Reserved Right

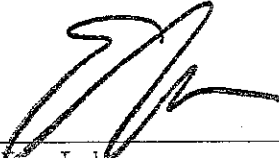


**11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:**

- a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for irrigation of lawns, landscaping, and domestic purposes at the Fort Hall Agency complex.
- b. The pumping capacity of these wells is 1300 GPM.

IT IS SO ORDERED

DATED this 13th day of August, 2014

  
\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

By \_\_\_\_\_ Clerk  
Deputy Clerk

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

In re SRBA Case No. 39576 PARTIAL DECREE FOR Water Right 27-11565

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
- 2. **Source of Water:** Groundwater
- 3. **Annual Diversion Volume:** 12.40 acre-feet per year (AFY)
- 4. **Diversion Rate:** 0.04 CFS
- 5. **Annual Volume of Consumptive Use:** De minimis
- 6. **Priority Date:** May 31, 1957
- 7. **Points of Diversion:** NESE, Sec. 9, Twp 6S, Rge 42E, BM
- 8. **Purposes and Periods of Use:** Domestic and Commercial 1/1 to 12/31
- 9. **Place of Use:** NESE Sec. 9, Twp 6S, Rge 42E, BM
- 10. **Basis of Right:** Beneficial Use
- 11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for domestic use at the home site at the White Locks Marina.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00231

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Toponce Creek
3. **Annual Diversion Volume:** 259.3 acre-feet per year (AFY)
4. **Diversion Rate:** 1.59 CFS
5. **Annual Volume of Consumptive Use:** 154.3 AFY
6. **Priority Date:** July 6, 1868
7. **Points of Diversion:** Toponce Creek
8. **Purposes and Periods of Use:** Irrigation 1/1 to 12/31
9. **Place of Use:** Allotment 61 (NESW, SENW, Sec 35 Twp 6S Rge 38E) for 79.53 acres.
10. **Basis of Right:** The Winters Doctrine per the Memorandum Decision in United States v. Hibner, 27 F.2d 909 (D. Idaho, E.D. 1928) and the Decree of the United States District Court, Eastern Division, dated April 8, 1929.
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:** None

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

BY: \_\_\_\_\_

Clerk

Deputy Clerk

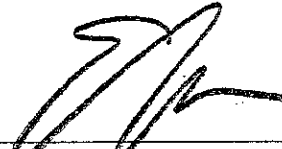
In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00238

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Toponce Creek
3. **Annual Diversion Volume:** 282.5 acre-feet per year (AFY)
4. **Diversion Rate:** 1.733 CFS
5. **Annual Volume of Consumptive Use:** 168.14 AFY
6. **Priority Date:** July 6, 1868
7. **Points of Diversion:** Toponce Creek
8. **Purposes and Periods of Use:** Irrigation 1/1 to 12/31
9. **Place of Use:** Allotment 71 (SENW, SWNE, Sec 36 Twp 6S Rge 38E) for 86.67 acres.
10. **Basis of Right:** The Winters Doctrine per the Memorandum Decision in United States v. Hibner, 27 F.2d 909 (D. Idaho, E.D. 1928) and the Decree of the United States District Court, Eastern Division, dated April 8, 1929.
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:** None

IT IS SO ORDERED

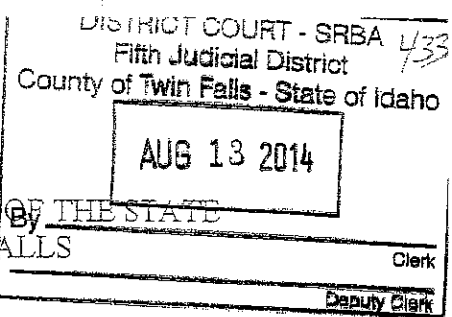
DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree



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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00239

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Toponce Creek
3. **Annual Diversion Volume:** 273.7 acre-feet per year (AFY)
4. **Diversion Rate:** 1.679 CFS
5. **Annual Volume of Consumptive Use:** 162.9 AFY
6. **Priority Date:** July 6, 1868
7. **Points of Diversion:** Toponce Creek
8. **Purposes and Periods of Use:** Irrigation 1/1 to 12/31
9. **Place of Use:** Allotment 72 (NESW, NWSE, Sec 36 Twp 6S Rge 38E) for 83.97 acres.
10. **Basis of Right:** The Winters Doctrine per the Memorandum Decision in United States v. Hibner, 27 F.2d 909 (D. Idaho, E.D. 1928) and the Decree of the United States District Court, Eastern Division, dated April 8, 1929.
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. A corresponding reduction will be made to Right No. 29-12049.



IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

DISTRICT COURT - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00466

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Bannock Creek
3. **Annual Diversion Volume:** 3,095 acre-feet per year (AFY)
4. **Diversion Rate:** 16.25 CFS
5. **Annual Volume of Consumptive Use:** 1,842 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 774 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

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

None

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

Clerk

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00467

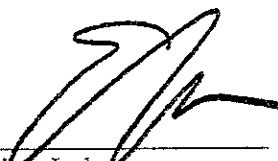
- 1. Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
- 2. Source of Water:** Bannock Creek, West Fork Bannock Creek
- 3. Annual Diversion Volume:** 629 acre-feet per year (AFY)
- 4. Diversion Rate:** 3.30 CFS
- 5. Annual Volume of Consumptive Use:** 374 AFY
- 6. Priority Date:** April 1, 1889
- 7. Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
- 8. Purposes and Periods of Use:** Irrigation 3/15 to 11/15
- 9. Place of Use:** 157 present and future acres within the Reservation.
- 10. Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

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

None

IT IS SO ORDERED

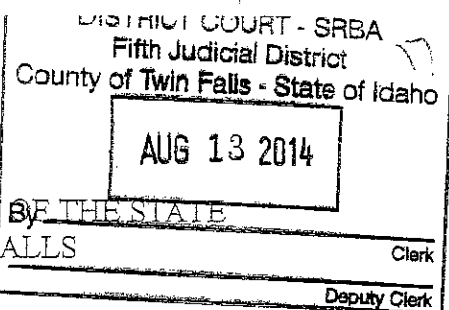
DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree



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

In re SRBA  
Case No. 39576


PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00469

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** West Fork Bannock Creek
3. **Annual Diversion Volume:** 190 acre-feet per year (AFY)
4. **Diversion Rate:** 1.00 CFS
5. **Annual Volume of Consumptive Use:** 113 AFY
6. **Priority Date:** May 1, 1894
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM.
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 48 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:                      None

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

County of Twin Falls - State of Idaho

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00470

**1. Name and address of owner:**

UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232

**2. Source of Water:**

West Fork Bannock Creek

**3. Annual Diversion Volume:**

248 acre-feet per year (AFY)

**4. Diversion Rate:**

1.30 CFS

**5. Annual Volume of Consumptive Use:**

147 AFY

**6. Priority Date:**

April 1, 1894

**7. Points of Diversion:**

NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM

**8. Purposes and Periods of Use:**

Irrigation 3/15 to 11/15

**9. Place of Use:**

62 present and future acres within the Reservation.

**10. Basis of Right:**

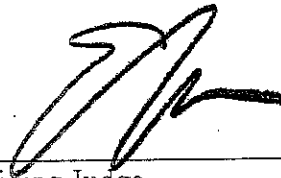
The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].



11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:                      None

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

County of Twin Falls - State of Idaho

AUG 13 2014

19

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00471

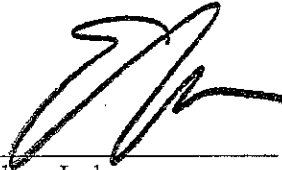
1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Bannock Creek
3. **Annual Diversion Volume:** 248 acre-feet per year (AFY)
4. **Diversion Rate:** 1.30 CFS
5. **Annual Volume of Consumptive Use:** 147 AFY
6. **Priority Date:** April 1, 1894
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 62 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

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

None

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00472

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** West Fork Bannock Creek
3. **Annual Diversion Volume:** 190 acre-feet per year (AFY)
4. **Diversion Rate:** 1.00 CFS
5. **Annual Volume of Consumptive Use:** 113 AFY
6. **Priority Date:** April 1, 1898
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 48 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

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

None

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00473

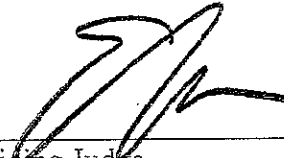
1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** West Fork Bannock Creek.
3. **Annual Diversion Volume:** 190 acre-feet per year (AFY)
4. **Diversion Rate:** 1.00 CFS
5. **Annual Volume of Consumptive Use:** 113 AFY
6. **Priority Date:** April 1, 1898
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 48 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].

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

None

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-00474

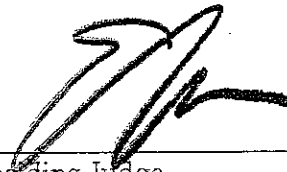
1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** West Fork Bannock Creek
3. **Annual Diversion Volume:** 190 acre-feet per year (AFY)
4. **Diversion Rate:** 1.00 CFS
5. **Annual Volume of Consumptive Use:** 113 AFY
6. **Priority Date:** April 1, 1901
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 48 present and future acres within the Reservation.
10. **Basis of Right:** The basis of the right is the Winters Doctrine with the relative share and priorities of the water allocations determined by the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)].



11. Matters Necessary for  
Definition, Clarification,  
or Administration  
of the Right:                      None

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and  
Attachment 4 to the Final Unified  
Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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

Clerk

Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12049

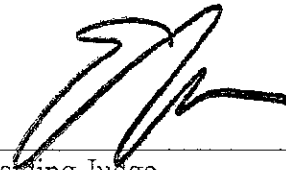
1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Bannock Creek
3. **Annual Diversion Volume:** 18,559.3 acre-feet per year (AFY)
4. **Diversion Rate:** 98.87 CFS
5. **Annual Volume of Consumptive Use:** 11,042.10 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33 E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM  
NESWSE Sec 6 Twp 7S Rge 33E BM  
(3 - 20 HP pumps for Michaud Project)  
Future Points of Diversion may be developed within the Bannock Creek basin to utilize this water right within the Bannock Creek drainage basin.
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 4,708 present and future acres within the Reservation.
10. **Basis of Right:** *Winters Doctrine*

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

a. The Tribes and the United States shall exercise this right in a manner that ensures persons with water rights 29-00476, 29-00477, 29-00480, 29-10990 and 29-13215 will continue to receive their full legal entitlement under state law. This right is reduced to transfer water to Right No. 29-00239. *[This paragraph was formerly known as paragraph x.a for purposes of Partial Decrees 29-00476, 29-00477, 29-00480, 29-10990 and 29-13215 in the 1995 Partial Final Consent Decree, and the Revised Partial Final Consent Decree.]*

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

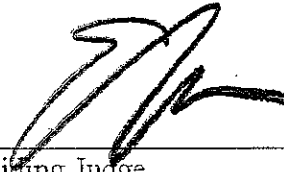
In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12050

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Portneuf River/Jeff Cabin Creek
3. **Annual Diversion Volume:** 970 acre-feet per year (AFY)
4. **Diversion Rate:** 9.70 CFS
5. **Annual Volume of Consumptive Use:** 727.50 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** Future Points of Diversion may be developed within the Portneuf River basin upstream from the point the river enters the Portneuf Reservoir in Sec 11 Twp 6S Rge 38E BM for use within the Portneuf River basin.
8. **Purposes and Periods of Use:** Irrigation 4/1 to 11/1
9. **Place of Use:** 485 present and future acres within the Reservation.
10. **Basis of Right:** *Winters* Doctrine
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:** None

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12052

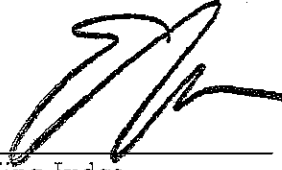
1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Bannock Creek basin groundwater
3. **Annual Diversion Volume:** 23,500 acre-feet per year (AFY)
4. **Diversion Rate:** 154.93 CFS
5. **Annual Volume of Consumptive Use:** 17,843 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** Future points of diversion may be developed as needed within the Bannock Creek basin to utilize this water right within the Bannock Creek drainage basin.
8. **Purpose and Period of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 8,704 future acres on Indian lands within the Reservation in the Bannock Creek drainage basin.
10. **Basis of Right:** *Winters* Doctrine
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The Tribes have the right to the annual yield of the Bannock Creek basin up to a combined surface and groundwater diversion of 48,500 AFY.

b. If the Tribes' combined surface and groundwater diversion from this basin exceeds 48,500 AFY, such excess shall be charged against water right no. 27-11376.

c. The Tribes and United States shall exercise this water right in a manner that ensures persons diverting ground water under partial decrees 29-2458A, 29-2470, 29-2509, 29-2565, 29-4349, 29-7110, 29-7272, 29-7291, 29-7630, 29-10549, 29-13708, 29-13709, 29-13949, 29-13950, 29-13951, 29-13952, 29-13984, 29-13985, and under *de minimis* domestic and stock water rights with a priority date earlier than January 1, 1990, will continue to receive their full legal entitlement under state law. “*De minimis* domestic water right” for the purposes of this paragraph means (a) the use of water for homes, organization camps, public campgrounds, livestock, and for any purpose in connection therewith including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or 14.5 acre-feet per year or less for storage, or (b) any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day. Domestic rights shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitation set forth in (b) above. “*De minimis* stock water right” for purposes of this paragraph means the use of water solely for livestock or wildlife where the total diversion is not in excess of thirteen thousand (13,000) gallons per day or 14.5 acre-feet per year or less for storage. These state created water rights are estimated to divert not more than 2,400 AFY of water from the ground water of the Bannock Creek drainage basin. In the event this estimate of the amount of existing diversions under state water rights is changed as a result of the Decree in the SRBA, the parties shall negotiate an equitable adjustment to the Tribal water rights to account for this change. *[This paragraph was formerly known as paragraph x.c for purposes of Partial Decrees 29-2458A, 29-2470, 29-2509, 29-2565, 29-4349, 29-7110, 29-7272, 29-7291, 29-7630, 29-10549, 29-13708, 29-13709, 29-13949, 29-13950, 29-13951, 29-13952, 29-13984, 29-13985 in the 1995 Partial Final Consent Decree and the Revised Partial Final Consent Decree.]*

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.



See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 29-12558

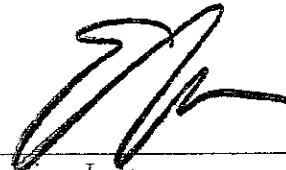
1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Bannock Creek
3. **Annual Diversion Volume:** 80 acre-feet per year (AFY)
4. **Diversion Rate:** 0.42 CFS
5. **Annual Volume of Consumptive Use:** 50 AFY
6. **Priority Date:** April 1, 1887
7. **Points of Diversion:** SWSWSE Sec. 21, Twp 8S, Rge 33E, BM
8. **Purposes and Periods of Use:** Irrigation and Stock Water 3/15 to 11/15
9. **Place of Use:** 20 acres more or less located in the SWNW Sec. 4, Twp 8S, Rge 33E, BM as shown on Attachment C to the Revised Partial Final Consent Decree dated August 13, 2014
10. **Basis of Right:** Bannock Creek Decree
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. To the extent a non-Indian water user is adjudicated a non-Project water right for Project lands, the amount of

that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.

b. This land is served by the Pevo Ditch and is irrigated under a rotational procedure that also includes water right nos. 29-00466, 29-00467, 29-12848, 29-00469, 29-00470, 29-00471, 29-00472, 29-00473, 29-00474, 29-12049. The procedure requires up to 3.0 CFS diversion rate at the properties headgate.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12559

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Groundwater
3. **Annual Diversion Volume:** 277 acre-feet per year (AFY)
4. **Diversion Rate:** 2.06 CFS
5. **Annual Volume of Consumptive Use:** 236 AFY
6. **Priority Date:** August 23, 1954
7. **Points of Diversion:** S1/2SESW Sec. 28, Twp 6S, Rge 32E, BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 102.58 acres located in the NESW and SESW, Sec. 28, Twp 6S, Rge 32E, and the NENW Sec. 33, Twp 6S, Rge 32E, BM as shown on Attachment B to the Revised Partial Final Consent Decree dated August 13, 2014.
10. **Basis of Right:** Act of August 31, 1954 (Michaud Act), 68 Stat. 1026.
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. To the extent a non-Indian water user is adjudicated a non-Project water right for Project lands, the amount of

that non-Project water right will be deducted from the Project water rights at a diversion rate that is not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.

b. The pumping capacity for this diversion is actually 1500 GPM.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

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

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12560

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Groundwater
3. **Annual Diversion Volume:** 507 acre-feet per year (AFY)
4. **Diversion Rate:** 3.75 CFS
5. **Annual Volume of Consumptive Use:** 431 AFY
6. **Priority Date:** August 23, 1954
7. **Points of Diversion:** SWSESW Sec. 3, Twp 7S, Rge 32E, BM  
SENWSE Sec. 3, Twp 7S, Rge 32E, BM  
NWNWSW Sec. 2, Twp 7S, Rge 32E, BM  
NESENW Sec. 2, Twp 7S, Rge 32E, BM  
NWNENE Sec. 1, Twp 7S, Rge 32E, BM  
SWNWNW Sec. 6, Twp 7S, Rge 33E, BM  
NESESW Sec. 6, Twp 7S, Rge 33E, BM  
NESESW Sec. 6, Twp 7S, Rge 33E, BM  
SWSWSW Sec. 30, Twp 6S, Rge 33E, BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 187.7 acres as shown on Attachment B to the Revised Partial Final Consent Decree dated August 13, 2014.
10. **Basis of Right:** Act of August 31, 1954 (Michaud Act) 68 Stat. 1026

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

- a. The lands identified in this right may also be supplied with a maximum annual diversion of 616 AF of water from the Portneuf River pumping plant under an exchange of federal contract storage rights described in Article 7.3.1. of the 1990 Fort Hall Indian Water Rights Agreement. This right and the water supplied from the Portneuf River provide a single water supply for these lands.
- b. This right is to supplement the surface water supply and will be used at the discretion of the Fort Hall Irrigation Project manager to optimize the available water supply for the Project.
- c. To the extent a non-Indian water user is adjudicated a non-Project water right for Project lands, the amount of that non-Project water right will be deducted from the Project water rights at a diversion rate not more than the duty of water per acre for lands within the Fort Hall Irrigation Project.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

County of Twin Falls - State of Idaho

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 29-12561

**1. Name and address of owner:**

UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232

**2. Source of Water:**

Groundwater

**3. Annual Diversion Volume:**

1.20 acre-feet per year (AFY)

**4. Diversion Rate:**

0.04 CFS

**5. Annual Volume of Consumptive Use:**

De minimis

**6. Priority Date:**

August 23, 1954

**7. Points of Diversion:**

SESESW Sec. 6, Twp 7S, Rge 33E, BM

**8. Purposes and Periods of Use:**

Domestic 1/1 to 12/31

**9. Place of Use:**

SESESW Sec. 6, Twp 7S, Rge 33E, BM

**10. Basis of Right:**

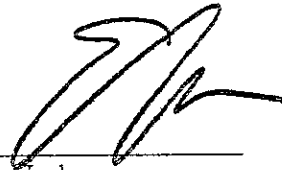
Beneficial Use

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

a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for domestic purposes at the home site at the Bannock Creek Pumping Station.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.



See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

By \_\_\_\_\_ Clerk  
Deputy Clerk

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

In re SRBA  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 29-12562

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
- 2. **Source of Water:** Groundwater
- 3. **Annual Diversion Volume:** 15.80 acre-feet per year (AFY)
- 4. **Diversion Rate:** 0.04 CFS
- 5. **Annual Volume of Consumptive Use:** De minimis
- 6. **Priority Date:** August 23, 1954
- 7. **Points of Diversion:** NESESW Sec. 6, Twp 7S, Rge 33E, BM
- 8. **Purposes and Periods of Use:** Pump Cooling 3/15 to 11/15
- 9. **Place of Use:** NESESW Sec. 6, Twp 7S, Rge 33E, BM
- 10. **Basis of Right:** Beneficial Use
- 11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for pump cooling purposes at the Bannock Creek Pumping Station.

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho  
AUG 13 2014  
By \_\_\_\_\_ Clerk  
Deputy Clerk

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

In re SRBA Case No. 39576 PARTIAL DECREE FOR Water Right 29-12563

- 1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
- 2. **Source of Water:** Groundwater
- 3. **Annual Diversion Volume:** 1.20 acre-feet per year (AFY)
- 4. **Diversion Rate:** 0.04 CFS
- 5. **Annual Volume of Consumptive Use:** De minimis
- 6. **Priority Date:** August 23, 1954
- 7. **Points of Diversion:** SWSESW Sec. 36, Twp 5S, Rge 33E, BM
- 8. **Purposes and Periods of Use:** Domestic 1/1 to 12/31
- 9. **Place of Use:** SWSESW Sec. 36, Twp 5S, Rge 33E, BM
- 10. **Basis of Right:** Beneficial Use
- 11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for domestic purposes at the home site at the Portneuf Pumping Station.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 29-12564

**1. Name and address of owner:**

UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232

**2. Source of Water:**

Groundwater

**3. Annual Diversion Volume:**

1.20 acre-feet per year (AFY)

**4. Diversion Rate:**

0.04 CFS

**5. Annual Volume of Consumptive Use:**

De minimis

**6. Priority Date:**

August 23, 1954

**7. Points of Diversion:**

SWSESW Sec. 36, Twp 5S, Rge 33E, BM

**8. Purposes and Periods of Use:**

Domestic 1/1 to 12/31

**9. Place of Use:**

SWSESW Sec. 36, Twp 5S, Rge 33E, BM

**10. Basis of Right:**

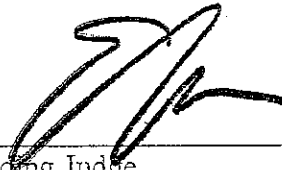
Beneficial Use

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

a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for domestic use at the Fort Hall Irrigation Project Office at the Portneuf Pumping Station.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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  
Case No. 39576

PARTIAL DECREE FOR  
Water Right 29-12565

1. **Name and address of owner:** UNITED STATES OF AMERICA, for the benefit of the non-Indian owned lands within the Fort Hall Irrigation Project and for the Bureau of Indian Affairs, acting through the DIRECTOR, PORTLAND AREA OFFICE Bureau of Indian Affairs 911 N.E. 11<sup>th</sup> Avenue Portland OR 97232
2. **Source of Water:** Groundwater
3. **Annual Diversion Volume:** 15.80 acre-feet per year (AFY)
4. **Diversion Rate:** 0.04 CFS
5. **Annual Volume of Consumptive Use:** De minimis
6. **Priority Date:** August 23, 1954
7. **Points of Diversion:** SESESW Sec. 36, Twp 5S, Rge 33E, BM
8. **Purposes and Periods of Use:** Pump Cooling 3/15 to 11/15
9. **Place of Use:** SESESW Sec. 36, Twp 5S, Rge 33E, BM
10. **Basis of Right:** Beneficial Use
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The water will be used by the United States Department of Interior, Bureau of Indian Affairs, Fort Hall Agency, for pump cooling purposes at the Portneuf Pumping Station.

IT IS SO ORDERED

DATED this 13th day of August, 2014



\_\_\_\_\_  
Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.



See Note at End of Partial Decree and Attachment 4 to the Final Unified Decree

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 13 2014

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

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

In re SRBA  
Case No. 39576

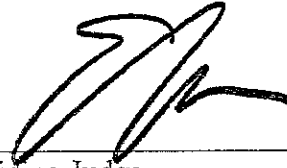
PARTIAL DECREE FOR  
Federal Reserved Water Right 29-12848

1. **Name and address of owner:** UNITED STATES OF AMERICA, as trustee for the benefit of the SHOSHONE-BANNOCK TRIBES OF THE FORT HALL INDIAN RESERVATION acting through the DIRECTOR, PORTLAND AREA OFFICE  
Bureau of Indian Affairs  
911 N.E. 11<sup>th</sup> Avenue  
Portland OR 97232
2. **Source of Water:** Rattlesnake Creek
3. **Annual Diversion Volume:** 571 acre-feet per year (AFY)
4. **Diversion Rate:** 3.00 CFS
5. **Annual Volume of Consumptive Use:** 340 AFY
6. **Priority Date:** June 14, 1867
7. **Points of Diversion:** NENWSE Sec 32 Twp 7S Rge 33E BM  
SWSWSE Sec 21, NESWNW Sec 25 (2 POD) all in Twp 8S Rge 33E BM  
NWSENE Sec 9, SWNESW Sec 22, SENESW Sec 27 all in Twp 9S Rge 33E BM
8. **Purposes and Periods of Use:** Irrigation 3/15 to 11/15
9. **Place of Use:** 143 present and future acres within the Reservation.
10. **Basis of Right:** *Winters* Doctrine
11. **Matters Necessary for Definition, Clarification, or Administration of the Right:**
  - a. The Tribes and the United States shall exercise this right in a manner that

ensures persons with water rights 29-00476, 29-00477, 29-00480, 29-10990 and 29-13215 will continue to receive their full legal entitlement under state law. *[This paragraph was formerly known as paragraph x.a for purposes of Partial Decrees 29-00476, 29-00477, 29-00480, 29-10990 and 29-13215 in the 1995 Partial Final Consent Decree, and the Revised Partial Final Consent Decree.]*

IT IS SO ORDERED

DATED this 13th day of August, 2014



Presiding Judge  
Snake River Basin Adjudication

This partial decree was entered pursuant to the Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin dated August 13, 2014, contained in Attachment 4 to the Final Unified Decree, and is subject to the terms and conditions set forth therein.

## CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the *Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin* were mailed on August 14, 2014, by first-class mail to the following:

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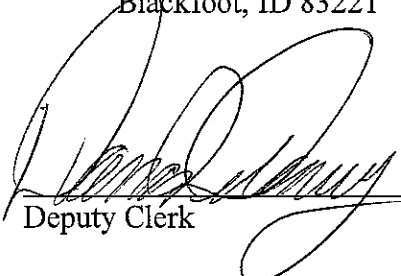
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