

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 FINAL DECREE FOR
Federal Reserved Water Right 77-14006
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14007
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14008
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14009
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ NW¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ NW¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14010
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14011
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ NW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ NW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14012
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ NW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ NW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14013
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14014
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ SE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ SE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14015
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14016
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW¼ SW¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW¼ SW¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14017
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14022
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SE¼ SW¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SE¼ SW¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14023
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SE¼ SW¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SE¼ SW¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14024
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14025
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14026
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14027
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14028
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14029
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14030
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14031
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14032
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14034
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 77-14035
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 5E, Section 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11248
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Hite Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 24, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 24, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11249
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Tony Seyfreid Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11274
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Mullin Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 25, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 25, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11275
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Jorgie Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 22, NW¼ NE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 22, NW¼ NE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11282
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Alder Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11283
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Cannon Ball Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11287
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Aitken Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11296
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 07, NW¼ NE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 07, NW¼ NE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11298
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Rodger Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 05, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 05, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11299
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Howard Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 05, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 05, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11302
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Silvers Unit Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 01, SE¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 01, SE¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11303
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 35, SE¼ SW¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 35, SE¼ SW¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11323
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 27, NW¼ SE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 27, NW¼ SE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11324
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11325
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 27, NW¼ SW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 27, NW¼ SW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11326
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 26, SW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 26, SW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11337
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11340
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1E, Section 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1E, Section 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11359
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 2W, Section 25, NE¼ SW¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 2W, Section 25, NE¼ SW¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11369
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 2W, Section 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 2W, Section 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11373
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 2W, Section 11, SW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 2W, Section 11, SW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11381
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Cambells Cc Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1W, Section 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1W, Section 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11402
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 35, NE¼ NE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 35, NE¼ NE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11406
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 28, NW¼ NE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 28, NW¼ NE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11407
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 28, NW¼ SE¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 28, NW¼ SE¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11415
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 25, SE¼ NE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 25, SE¼ NE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11416
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11417
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 25, NE¼ NE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 25, NE¼ NE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11419
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 25, SE¼ NW¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 25, SE¼ NW¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11420
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11421
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11422
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 24, SW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 24, SW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11473
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Indian Springs |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1W, Section 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1W, Section 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11481
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1W, Section 02, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1W, Section 02, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11488
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 2E, Section 30, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 2E, Section 30, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11489
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 25, NW ¹ / ₄ NW ¹ / ₄ SE ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 25, NW ¹ / ₄ NW ¹ / ₄ SE ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11491
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 24, NE ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 24, NE ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11495
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11497
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 23, NW¼ NW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 23, NW¼ NW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11500
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 22, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 22, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11501
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11505
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11506
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11509
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11510
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 13, SW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 13, SW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11511
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11512
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 12, SE¼ NW¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 12, SE¼ NW¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11513
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 12, NE¼ SE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 12, NE¼ SE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11514
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11517
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11519
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 11, NW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 11, NW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11520
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 11, NE¼ SE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 11, NE¼ SE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11522
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11523
(Spring or Fountain)

- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11524
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11525
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11526
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 10, NW¼ NE¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 10, NW¼ NE¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11528
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 03, NE¼ SW¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 03, NE¼ SW¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11530
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Springs |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 03, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 03, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11541
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1W, Section 31, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1W, Section 31, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11550
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Frank's Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 20N, Range 1E, Section 04, NE¼ NE¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 20N, Range 1E, Section 04, NE¼ NE¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11597
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 2W, Section 34, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 2W, Section 34, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-11599
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 2W, Section 03, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 2W, Section 03, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12036
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 14, SW¼ SE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 14, SW¼ SE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12037
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12040
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 15, NW¼ NW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 15, NW¼ NW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12041
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 15, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 15, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12043
(Spring or Fountain)

- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 22, NW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 22, NW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12044
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12048
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 01, NE¼ SE¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 01, NE¼ SE¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12049
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 13, NE¼ SW¼ NW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 13, NE¼ SW¼ NW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12050
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12051
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 24, NW¼ NW¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 24, NW¼ NW¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12053
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 22N, Range 1E, Section 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 22N, Range 1E, Section 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12056
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 1W, Section 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 1W, Section 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12058
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 23N, Range 2W, Section 34, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 23N, Range 2W, Section 34, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12059
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 11, SE¼ NW¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 11, SE¼ NW¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12062
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 23, NW¼ NE¼ SW¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 23, NW¼ NE¼ SW¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12063
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12064
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 23, NW¼ SW¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 23, NW¼ SW¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12066
(Spring or Fountain)

- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 21N, Range 1E, Section 25, SE¼ SE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 21N, Range 1E, Section 25, SE¼ SE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12230
(Spring or Fountain)

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- | | |
|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Indian Springs |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1W, Section 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1W, Section 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 78-12231
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 24N, Range 1E, Section 30, NW¼ NW¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 24N, Range 1E, Section 30, NW¼ NW¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12355
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 30N, Range 3W, Section 04, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 30N, Range 3W, Section 04, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12476
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Tollgate Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 29N, Range 3E, Section 28, NE¼ SE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 29N, Range 3E, Section 28, NE¼ SE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12493
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 29N, Range 2E, Section 30, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 29N, Range 2E, Section 30, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12528
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 29N, Range 1E, Section 36, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 29N, Range 1E, Section 36, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12547
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Pig Foot Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 3E, Section 34, NE¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 3E, Section 34, NE¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12548
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Pauls Camp Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 3E, Section 29, SW¼ SE¼ NE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 3E, Section 29, SW¼ SE¼ NE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12549
(Spring or Fountain)

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|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Fenn Cabin Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 3E, Section 20, SW ¹ / ₄ SE ¹ / ₄ SE ¹ / ₄ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 3E, Section 20, SW ¹ / ₄ SE ¹ / ₄ SE ¹ / ₄ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12558
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Free Use Point Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 2E, Section 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 2E, Section 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12560
(Spring or Fountain)

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- | | |
|--|--|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Bull Run 1 Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 2E, Section 15, NW¼ NE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 2E, Section 15, NW¼ NE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12568
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 1W, Section 22, NW¼ NE¼ SE¼ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 1W, Section 22, NW¼ NE¼ SE¼ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12569
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 1W, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 1W, Section 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12598
(Spring or Fountain)

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|--|---|
| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 1E, Section 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 1E, Section 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[]" for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12605
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 28N, Range 1E, Section 01, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 28N, Range 1E, Section 01, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12607
(Spring or Fountain)

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- | | |
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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 27N, Range 3E, Section 22, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 27N, Range 3E, Section 22, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12615
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Unnamed Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 27N, Range 2E, Section 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 27N, Range 2E, Section 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12616
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Bouffard Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 27N, Range 2E, Section 09, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 27N, Range 2E, Section 09, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a “watering place[] for the use in common of both whites and Indians.” This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In re SRBA
Case No. 39576

PARTIAL FINAL DECREE FOR
Federal Reserved Water Right 79-12623
(Spring or Fountain)

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| 1. Name and address of owner: | UNITED STATES OF AMERICA, as trustee for the benefit of the NEZ PERCE TRIBE, acting through the AREA DIRECTOR, PORTLAND AREA OFFICE
Bureau of Indian Affairs
911 N.E. 11 th Ave.
Portland, OR 97232 |
| 2. Source of water | Pittsburg 14 Spring |
| 3. Quantity of right | Up to one-half of the natural flow |
| 4. Priority date | Time immemorial |
| 5. Point of diversion | Township 27N, Range 1W, Section 34, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 6. Purpose of use | Human consumption, livestock watering, wildlife watering, cultural, and ceremonial purposes. |
| 7. Period of use | January 1 to December 31 |
| 8. Place of use | Township 27N, Range 1W, Section 34, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 9. Annual volume of consumptive use | Up to one-half of the natural flow. |
| 10. Other provisions necessary for definition or administration of this water right | <p>a. This water right is held by the United States as trustee for the benefit of the Nez Perce Tribe pursuant to the terms of Article 8 of the Nez Perce Treaty of June 9, 1863, 14 Stat. 647, which provides that the subject spring is held by the United States as a "watering place[] for the use in common of both whites and Indians." This water right is a reserved right under federal law and is not subject to loss for nonuse.</p> <p>b. This water right is a right of diversion only and does not include an instream flow right.</p> <p>c. This water right does not include the right to divert water away from the immediate vicinity of the spring.</p> |

d. The source spring for this water right is located on federal land. This water right shall not be used as the basis to preclude the federal land management agency from managing federal land in the vicinity of the spring or from permitting use of any water right that the land management agency may have for use of this source; provided that no such management or water use shall preclude or interfere with the Tribe's exercise of this water right.

e. This water right shall not be implied to prohibit the issuance or confirmation of state-based water rights from this same water source, provided that no such water right shall preclude or interfere with the exercise of this water right.

IT IS SO ORDERED.

DATED this ____ day of _____, 2005.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication