

ATTACHMENT 8

INSTRUCTIONS ON SEARCHING THE FINAL UNIFIED DECREE

A complete paper copy of the Final Unified Decree is housed with the Snake River Basin Adjudication (“SRBA”) district court, located in Twin Falls, and the Idaho Department of Water Resources (“IDWR”), located in Boise. Electronic versions of the Final Unified Decree may be found on the websites of the SRBA district court and IDWR. The electronic version of the Final Unified Decree is searchable.

Even if a water right was decreed by the SRBA district court, the decree may not be an accurate description of the water right today because the right may have been sold, split, transferred, or its elements changed in some way. Therefore, for the most current information associated with any water right number listed in the Final Unified Decree, consult IDWR.

HOW TO SEARCH THE FINAL UNIFIED DECREE

1. Content of the Final Unified Decree

There are ten (10) attachments to the Final Unified Decree. An understanding of the contents of the attachments will help narrow a search of the Final Unified Decree.

Attachment 1	Snake River Basin Water System Map
Attachment 2	Partially Decreed Water Rights, including a name index and a water right number index (water right number index is included in the electronic version only).
Attachment 3	General Provisions.
Attachment 4	Federal and Tribal Reserved Water Right Settlements, including all Consent Decrees and all Attachments thereto, all Partial Decrees issued by this Court as part of the Respective Settlements, and all Federal, State and/or Tribal

	Legislation Necessary to Enact and Approve the Water Right Settlements.
Attachment 5	List of Water Right Numbers for Filed Water Right Claims Decreed as Disallowed.
Attachment 6	List of Water Right Numbers for Unclaimed Water Rights Decreed as Disallowed.
Attachment 7	June 28, 2012, <i>Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims.</i>
Attachment 8	Instructions on Searching the Final Unified Decree.
Attachment 9	<i>Order on State of Idaho's Motion for Partial Summary Judgment on Issue No. 2, Subcase No. 00-91013 (Basin-Wide Issue 13) (July 12, 2011).</i>
Attachment 10	Register of Actions, Twin Falls County Case No. 39576 (i.e., SRBA Main Case)

Generally, most research should begin with Attachment 2. An exception to this general rule is for water rights decreed as part of this Court's orders approving the following federal reserved water agreements/consent decrees, as compiled in Attachment 4:

- *Revised Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin*, dated August 13, 2014.
- *The 1990 Fort Hall Indian Water Rights Agreement by and between the Shoshone Bannock Tribes of the Fort Hall Indian Reservation, the State of Idaho, the United States, and Certain Idaho Water Users*, dated July 5, 1990.
- *Public Law 101-602, 104 Stat. 3059* (November 16, 1990).
- *Chapter 228, 1991 Idaho Sess. L. 547.*
- *H.C.R. No. 16, 1985 Idaho Sess. L. 745.*
- *Resolutions of the Business Council of the Shoshone-Bannock Tribes* dated June 15, 1990; July 5, 1990; and June 14, 1991.

- *Revised Consent Decree Approving Entry of Partial Decrees Determining the Rights of the United States as Trustee for the benefit of the Shoshone-Paiute Tribes to the Use of Water in the Snake River Basin within Idaho*, dated December 12, 2006.
- *Consent Decree Approving Entry of Partial Final Decrees Determining the Rights of the United States as Trustee for the Benefit of the Nez Perce Tribe and the Nez Perce Tribe to the Use of Water in the Snake River Basin within Idaho and Partial Final Decrees Determining Minimum Stream Flow Water Rights Held by the Idaho Water Resources Board*, dated January 30, 2007.
- *Snake River Water Rights Act of 2004, Pub. L. 108-447, Division J, Title X* (December 8, 2004).
- *Chapter 148, 2005 Idaho Sess. L. 461.*
- *Chapter 149, 2005 Idaho Sess. L. 462-465.*
- *Chapter 150, 2005 Idaho Sess. L. 465-466.*
- *Nez Perce Tribal Resolution No. 05-210* (March 29, 2005).
- *Water Rights Agreement Between the State of Idaho and the United States for the Craters of the Moon National Monument* (May 13, 1992); *Orders of Partial Decree* entered Dec. 1, 1998 (Subcase Nos. 34-12383, 34-12384, 34-12385, 34-12386, 34-12387, 34-12388, and 34-12389).
- *Water Rights Agreement Between the State of Idaho and the United States for the United States Department of Energy* (July 20, 1990); *Order of Partial Decree* entered *nunc pro tunc* June 20, 2003 (Subcase No. 34-10901).
- *Order Approving Stipulation and Entry of Basin 79 Partial Decrees* (Subcase No. 79-13597, Hells Canyon National Recreation Area Act Claims, Nov. 16, 2004).
- *Order Approving Entry of Basin 78 Partial Decrees*, dated May 2, 2005 (Consolidated Subcase No. 79-13597 Hells Canyon National Recreation Area Act Claims (Encompassing Subcases 79-14054 through 79-14079 and Subcases 78-12200 through 78-12205)).
- *Amended Order Approving Stipulation and Entry of Partial Decrees* (Consolidated Subcase No. 75-13316 (Wild & Scenic Rivers Act Claims, Nov. 17, 2004).
- *Order of Partial Decree on Uncontested Federal Water Right Claims*, dated February 28, 2012 (Water Rights Agreement Between the State of Idaho and the United States for Yellowstone National Park).

For federal reserved water rights decreed as part of one of the enumerated settlements, consult Attachment 4.

2. Search Instructions

There are three components to a water right number: (a) the basin number; (b) the sequence number; and (c) sometimes a split suffix. For example, in water right 63-07819A, the basin number is 63, the sequence number is 07819, and the split suffix is A. (Note: not all water right numbers have split suffixes.) The Partially Decreed Water Rights in Attachment 2 are organized numerically beginning with water right number 01-00001A and ending with water right number 86-12017. Attachment 2 also contains a name index of all water rights decreed by the SRBA district court (with the exception of the partial decrees associated with the federal reserved water rights agreements/consent decrees compiled in Attachment 4). The name index is organized alphabetically by last name or entity name. In the electronic version of the Final Unified Decree there is number index which provides a link to the scanned image of the corresponding partial decree for any particular water right number.

If a water right number cannot be found in Attachment 2, review attachments 5 and 6 to determine if the water right was decreed disallowed. If a water right number appears on Attachment 5, it is possible that the water right may have been split during the course of the SRBA, with the water use decreed under a different water right number(s). To determine if this is the case, or to review the pedigree of any water right number, consult IDWR.

If a water right number cannot be found in attachments 2, 5, or 6, the water right number may have been decreed after entry of the Final Unified Decree. In order to determine if the water right was decreed after entry of the Final Unified Decree, consult IDWR.

If a water right number cannot be found in attachments 2, 5, or 6, and was not found to have been decreed after entry of the Final Unified Decree, it is still possible that the water right number and water use may be valid. In order to determine if the water right number and water use is valid, consult IDWR.

It is possible that a water right decreed by the SRBA district court and located in Attachment 2 may have been corrected after entry of the Final Unified Decree because of a clerical error in the description of the right. In order to determine if the water right was later corrected, consult IDWR.

All research of the Final Unified Decree should conclude with consultation with IDWR to determine the most current status of the water right being reviewed.