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Final Unified Decree for the Snake River Basin Adjudication

Fifth Judicial District Court, Twin Falls County, Idaho

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Final Unified Decree for the Snake River Basin Adjudication, In re Snake River Basin Adjudication, No. 39576, Fifth Judicial District Court, Twin Falls County, Idaho (Aug. 26, 2014)

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Final Unified Decree for the Snake River Basin Adjudication
District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls

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Final Unified Decree for the Snake River Basin Adjudication, In or Snake River Basin Adjudication, No. 19576, District Court of the Fifth Judicial District, Twin Falls County Idaho (Aug. 26, 2014)

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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)
) FINAL UNIFIED DECREE
)
Case No. 19576)

I. PROCEDURE

On June 17, 1987, the State of Idaho, ex rel. A. Kenneth Dunn in his official capacity as Director of the Idaho Department of Water Resources, filed a petition in the above-entitled Court seeking commencement of a "general adjudication *inter se* of all rights arising under state or federal law to the use of surface and ground waters from the Snake River basin water system and for the administration of such rights." *Petition at 2.* On November 19, 1987, this Court issued its *Commencement Order* thereby initiating the above-entitled general stream adjudication of all rights to the use of the waters of the Snake River Basin within the State of

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Idaho pursuant to Idaho Code § 42-1406A (Supp. 1987).¹ The *Commencement Order* adopted by reference this Court's October 14, 1987, *Memorandum Opinion on Commencement of Adjudication* as "further findings of fact and further conclusions of law as permitted by I.R.C.P. 52(a)." *Commencement Order at 4.*

As set forth in the *Memorandum Opinion on Commencement of Adjudication*, Idaho Code § 42-1406A (Supp. 1987) required that the adjudication be commenced within the terms of the McCarran Amendment, 43 U.S.C. § 666. This Court determined that for the adjudication to come within the terms of the McCarran Amendment the entire Snake River Basin water system within the State of Idaho had to be adjudicated. This Court defined the



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