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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 2 2012	
By _____	Clerk _____
_____	Deputy Clerk _____

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: 21-00148A & 21-13126
) (Boom Creek Canal Company)
)
)
)

I.
FINDINGS AND CONCLUSIONS

1. On August 8, 2012, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
2. The above-captioned water rights are for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.
3. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The

GIS mapping technology allows the geographic area encompassing the place of use for a water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). *See Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary, filed October 17, 2003.*

II.
ORDER

1. Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached ***Partial Decrees Pursuant to I.R.C.P. 54(b)***.
2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original ***Partial Decrees***, and IDWR will retain the other original. The map depicting the place of use attached to the ***Partial Decrees*** is intended for illustrative purposes only.
3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED October 2, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 21-00148A

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

OCT - 2 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BOOM CREEK CANAL CO
PO BOX 754
ASHTON, ID 83420

SOURCE: BOONE CREEK TRIBUTARY: FALL RIVER

Point of injection into and point of redirection from Squirrel
Creek.

QUANTITY: 10.00 CFS
2865.00 AFY

Right Nos. 21-148A and 21-13126 are limited to a total combined
diversion rate of 10 cfs.

PRIORITY DATE: 09/15/1901

POINT OF DIVERSION: T08N R44E S03 SWSW (Rediversion) Within Fremont County
S17 NWSW (Rediversion)
R46E S05 LOT 6 (SWSE)
LOT 6 (SWSE) (Injection)

The point of diversion for this water right is in Wyoming, T47N
R118W S2 NWSW, 6th Principal Meridian. The point of injection for
this water right is in Wyoming, T47N R118W S10, 6th Principal
Meridian. The points of diversion and injection shown above is
where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	10.00 CFS 2865.00 AFY

PLACE OF USE:

2577 ACRES TOTAL

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising the digital boundary are
incorporated herein by reference and are stored on a CD-ROM disk
issued in duplicate originals on file with the SRBA District
Court and the Idaho Department of Water Resources. A map
depicting the place of use is attached hereto to illustrate the
place of use described by the digital boundary.
This right is limited to the irrigation of 955 acres within the
place of use described above in a single irrigation season.
Place of use is within the area served by Boom Creek Canal
Company.
Right Nos. 21-148A and 21-13126 are limited to the irrigation of
a combined total of 2577 acres in a single irrigation season.

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

Water rediverted from Squirrel Creek will be regulated under
Idaho priorities.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY

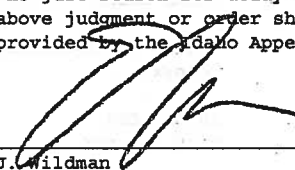
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 21-13126

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

OCT - 2 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BOOM CREEK CANAL CO
PO BOX 754
ASHTON, ID 83420

SOURCE: BOONE CREEK TRIBUTARY: FALL RIVER

Point of injection into and point of redirection from Squirrel
Creek.

QUANTITY: 10.00 CFS

Right Nos. 21-148A and 21-13126 are limited to a total combined
diversion rate of 10 cfs.

PRIORITY DATE: 09/06/1987

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1416, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T08N R44E S03 SWSW (Rediversion) Within Fremont County
S17 NWSW (Rediversion)
R46E S05 LOT 6 (SWSE)
LOT 6 (SWSE) (Injection)

The point of diversion for this water right is in Wyoming, T47N
R118W S2 NWSW, 6th Principal Meridian. The point of injection for
this water right is in Wyoming, T47N R118W S10, 6th Principal
Meridian. The points of diversion and injection shown above is
where the conveyance system enters Idaho.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	10.00 CFS

PLACE OF USE:

2577 ACRES TOTAL

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising the digital boundary are
incorporated herein by reference and are stored on a CD-ROM disk
issued in duplicate originals on file with the SRBA District
Court and the Idaho Department of Water Resources. A map
depicting the place of use is attached hereto to illustrate the
place of use described by the digital boundary.
Place of use is within the area served by Boom Creek Canal
Company.

Right Nos. 21-148A and 21-13126 are limited to the irrigation of
a combined total of 2577 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 21-148A
pursuant to Section 42-1426, Idaho Code.

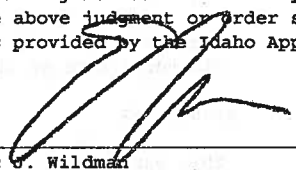
OTHER PROVISIONS (continued)

Water reddiverted from Squirrel Creek will be regulated under Idaho priorities.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric G. Wildman
Presiding Judge of the
Snake River Basin Adjudication

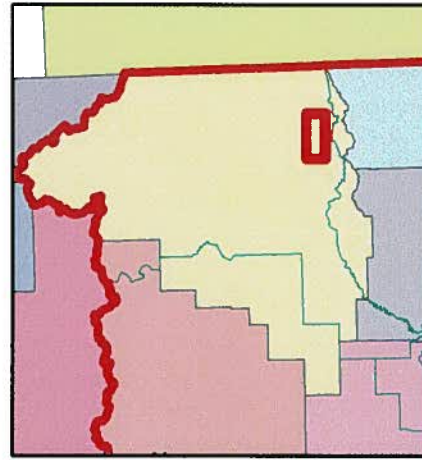


Boom Creek Canal Co

Adjudication Recommendations: 21-148A, 21-13126

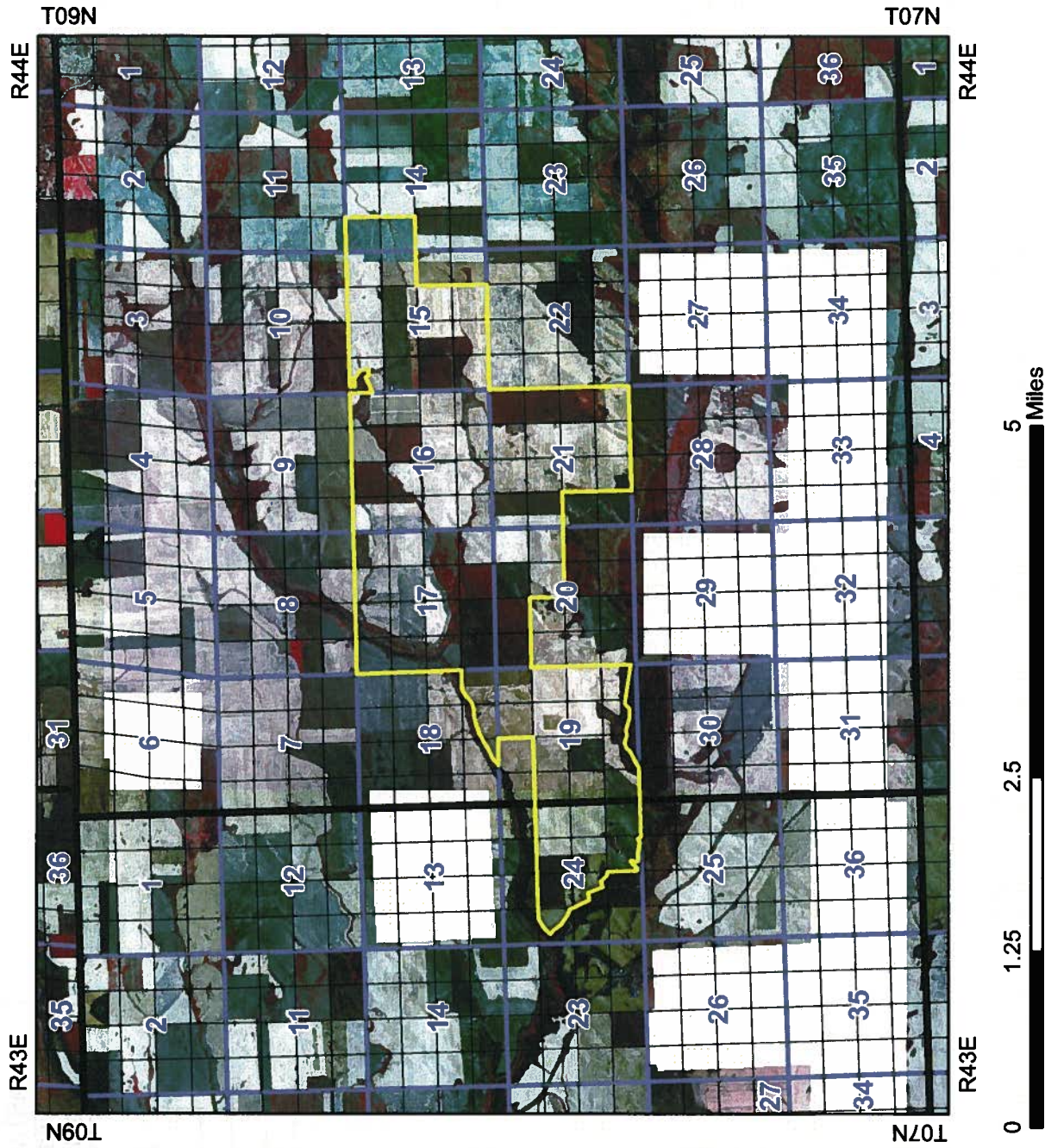
Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Fremont County
IDWR Basin 21

Prepared by Favreau, Danielle
On June 26, 2012
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION was mailed on October 02, 2012, with sufficient first-class postage to the following:

BOOM CREEK CANAL CO

Represented by:

JERRY R RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

SQUIRREL CREEK IRRIGATION CO

PO BOX 611

ASHTON, ID 83420

Phone: 208-709-3646

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".