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DEPARTMENT OF
WATER RESOURCES

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

OCT - 1 2013

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: 37-00891A & 37-00892
) (Upper Wood River Water Users Assn.
) Inc.)
)

I.
FINDINGS AND CONCLUSIONS

1. On August 14, 2013, an *Amended Special Master's Report and Recommendations* was filed for the above water rights. No Challenges were filed to the *Amended Special Master's Report and Recommendations* and the time for filing Challenges has now expired.
2. The above-captioned water rights are for an irrigation purpose of use and satisfies 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 right is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water right is 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 1, 2013.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

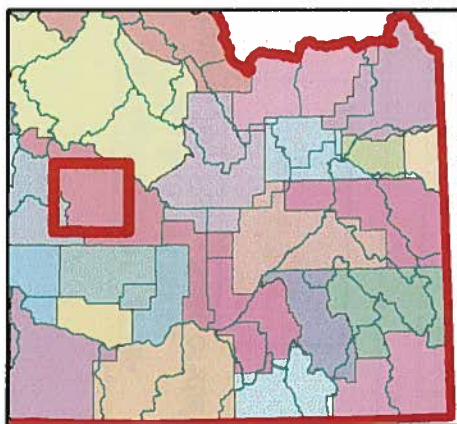


Upper Wood River Water Users Assn. Inc.

Adjudication Recommendations: 37-891A, 37-892

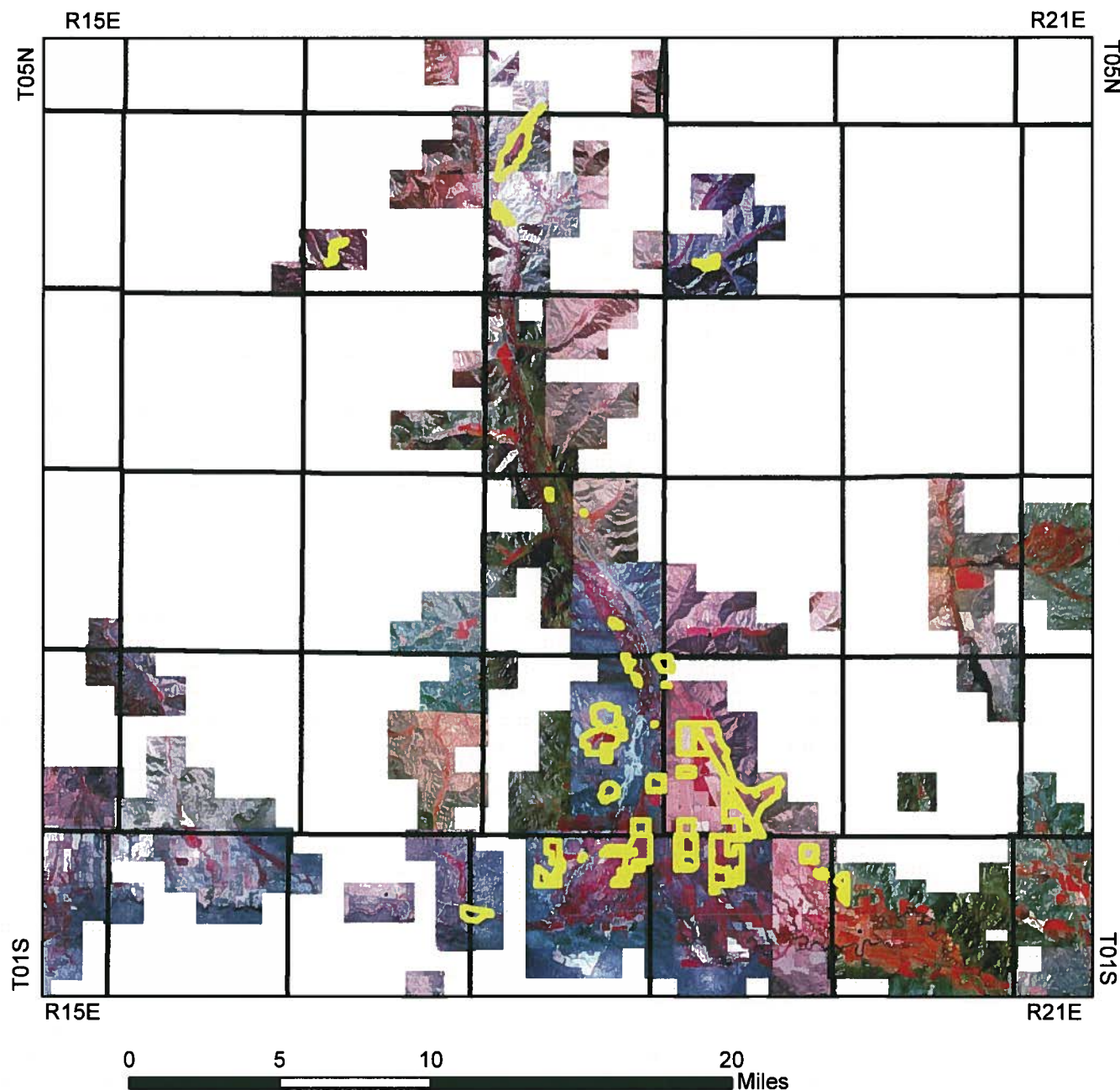
Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  Township/Range
-  State Outline



**Blaine County
IDWR Basin 37**

Prepared by Favreau, Danielle
On May 24, 2013



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00891A

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

OCT - 1 2013

By

Clerk

Deputy Clerk

NAME AND ADDRESS: UPPER WOOD RIVER WATER USERS
ASSOCIATION INC
153 BASELINE RD
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
TRAIL CREEK TRIBUTARY: BIG WOOD RIVER
WARM SPRINGS CREEK TRIBUTARY: BIG WOOD RIVER
EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER

QUANTITY: 10.50 CFS

PRIORITY DATE: 07/24/1924

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Tom Hughes, et al., plaintiff vs. Mans H. Coffin, Watermaster, Defendant in the Fourth Judicial District of the State of Idaho in and for the County of Blaine dated 7/18/1941.

POINT OF DIVERSION: T01N R18E S01 NENWSW Within Blaine County
S02 LOT 1 (SWNENE)
S12 NENWSW
NWSESW
NWSESW
S25 NWSESW
NESWSW
S35 SESE
T01S R18E S02 NESESE
LOT 2 (SWNE)
S19 NWNENE
T02N R18E S26 LOT 1 (NESWSW)
NWSW
SWSE
S36 LOT 3 (NESWNW)
T03N R18E S20 SWNW
T04N R17E S30 SESE
S31 NWNE
R18E S05 LOT 3 (NENW)
S07 SWSE
R19E S28 NWSW
S29 SESW
NESE
SWSE
T05N R18E S32 NESE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 10.50 CFS

PLACE OF USE:

7366 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

PLACE OF USE (continued)

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 7366 acres within the boundary of the Upper Wood River Water Users Assn. Right Nos. 37-891A and 37-892 are limited to the irrigation of a combined total of 7366 acres in a single irrigation season. Place of use does not include federal public land.

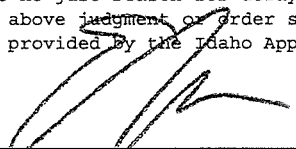
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW 1/4 SE 1/4 SW 1/4 Section 12, T1N, R18E and when water is delivered into the Extension Bypass canal heading from the Bypass canal within the NW 1/4 NW 1/4 NW 1/4 Section 36, T1N, R18E and when rights of 6/15/1883 priority are curtailed. This right is curtailed when all priority rights deliverable through the Extension Bypass system are futile or not called for during the irrigation season.

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 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 37-00892

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

OCT - 1 2013

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: UPPER WOOD RIVER WATER USERS
ASSOCIATION INC
153 BASELINE RD
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
TRAIL CREEK TRIBUTARY: BIG WOOD RIVER
WARM SPRINGS CREEK TRIBUTARY: BIG WOOD RIVER
EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER

QUANTITY: 11.232 CFS

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF DIVERSION: T01N R18E S01 NENWSW Within Blaine County
S02 LOT 1 (SWNE)
S12 NENWSW
NWSESW
NWSESW
S25 NWSESW
NESWSW
S35 SESE
T01S R18E S02 NESESE
LOT 2 (SWNE)
S19 NWNENE
T02N R18E S26 LOT 1 (NESWSW)
NWSW
SWSE
S36 LOT 3 (NESWNW)
T03N R18E S20 SWNW
T04N R17E S30 SESE
S31 NWNE
R18E S05 LOT 3 (NENW)
S07 SWSE
R19E S28 NWSW
S29 SESW
NESE
SWSE
T05N R18E S32 NESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	11.232 CFS

PLACE OF USE:

7366 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

PLACE OF USE (continued)

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 7366 acres within the boundary of the Upper Wood River Water Users Assn. Right Nos. 37-891A and 37-892 are limited to the irrigation of a combined total of 7366 acres in a single irrigation season. Place of use does not include federal public lands.

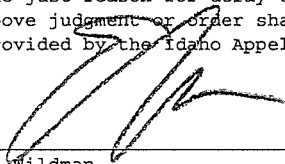
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW 1/4 SE 1/4 SW 1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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 J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 01, 2013, with sufficient first-class postage to the following:

CC: JOHN & KRISTY MOLYNEUX

Represented by:

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Phone: 208-336-0700

CC: JAMES SPECK

Represented by:

JAMES P SPECK
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340-0987
Phone: 208-726-4421

CC: EVAN ROBERTSON

Represented by:

JOHN E. ROBERTSON
PO BOX 1906
TWIN FALLS, ID 83303
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BROWN RANCH INC

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Represented by:

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DIRECTOR OF IDWR

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