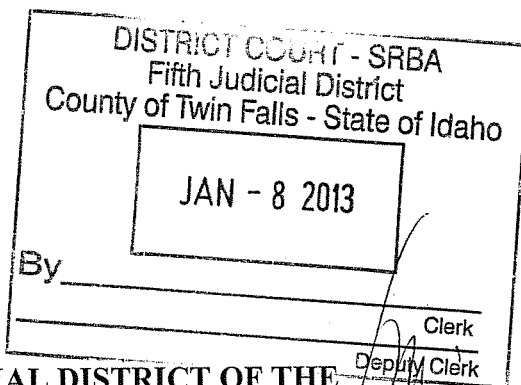


RECEIVED

JAN 09 2013

DEPARTMENT OF
WATER RESOURCES



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: 21-13151 & 22-14057
-) (Fremont Madison Irrigation District)
-)
-)
-)

I.

FINDINGS AND CONCLUSIONS

1. On November 7, 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

January 8, 2013



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 21-13151

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

JAN - 8 2013

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: FREMONT MADISON IRRIGATION
DISTRICT
DALE SWENSEN SEC-TREAS
PO BOX 15
ST ANTHONY, ID 83445

SOURCE: GROUND WATER

QUANTITY: 76.75 CFS
32578.00 AFY

Use of water from these wells for supplemental irrigation,
when combined with other direct flow or storage water rights,
shall provide no more than 0.02 cfs per acre nor more than 5.0
acre-feet of water per acre per irrigation season.
Rights 21-13151, 22-14057 and 22-13506 when combined shall not
exceed a total annual maximum diversion volume of 220,000
acre-feet.

PRIORITY DATE: 04/23/1969

POINT OF DIVERSION: T06N R38E S25 SWNE Within Madison County
T07N R39E S16 NWSE Within Fremont County
S34 LOT 17 (SWSW) Within Madison County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-01 TO 10-31	76.75 CFS 32578.00 AFY

PLACE OF USE:

Place of use is within the boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code.
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 does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation. Rights 21-13151, 22-14057 and 22-13506 when combined shall not exceed the irrigation of 152,562 acres, comprised of 111,210 acres for which these rights shall be supplemental to other water rights for irrigation purposes and 41,352 acres for which these rights may be the sole supply of irrigation water.

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

Rights 21-13151 and 22-14057 are limited to the total number of acres irrigated under those rights prior to July 18, 2012, the date proof of beneficial use was filed for those rights. Additional irrigated acres can no longer be developed under rights 21-13151 and 22-14057.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

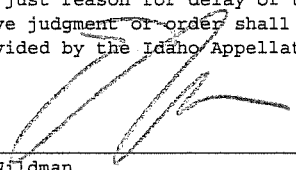
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

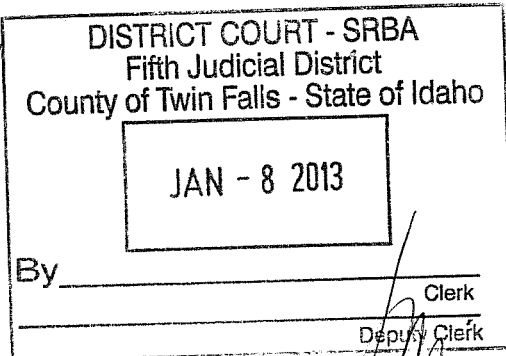
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-14057

NAME AND ADDRESS: FREMONT MADISON IRRIGATION
DISTRICT
DALE SWENSEN SEC-TREAS
PO BOX 15
ST ANTHONY, ID 83445

SOURCE: GROUND WATER

QUANTITY: 31.05 CFS
13180.00 AFY



Use of water from these wells for supplemental irrigation, when combined with other direct flow or storage water rights, shall provide no more than 0.02 cfs per acre nor more than 5.0 acre-feet of water per acre per irrigation season. Rights 21-13151, 22-14057 and 22-13506 when combined shall not exceed a total annual maximum diversion volume of 220,000 acre-feet.

PRIORITY DATE: 04/23/1969

POINT OF DIVERSION: T06N R39E S23 NENE Within Madison County
T07N R40E S19 SENE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	31.05 CFS 13180.00 AFY

PLACE OF USE: Place of use is within the boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code. 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 does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation. Rights 21-13151, 22-14057 and 22-13506 when combined shall not exceed the irrigation of 152,562 acres, comprised of 111,210 acres for which these rights shall be supplemental to other water rights for irrigation purposes and 41,352 acres for which these rights may be the sole supply of irrigation water.

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

Rights 21-13151 and 22-14057 are limited to the total number of acres irrigated under those rights prior to July 18, 2012, the date proof of beneficial use was filed for those rights. Additional irrigated acres can no longer be developed under rights 21-13151 and 22-14057.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

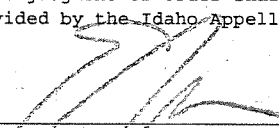
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

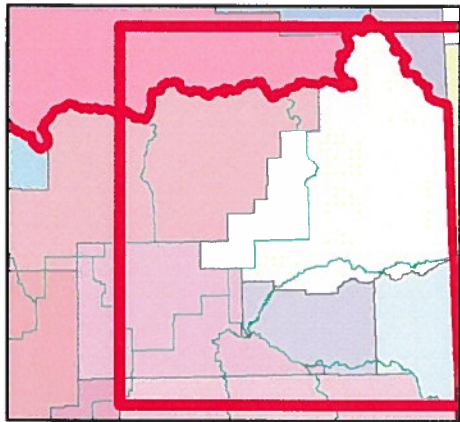


Fremont Madison Irrigation District

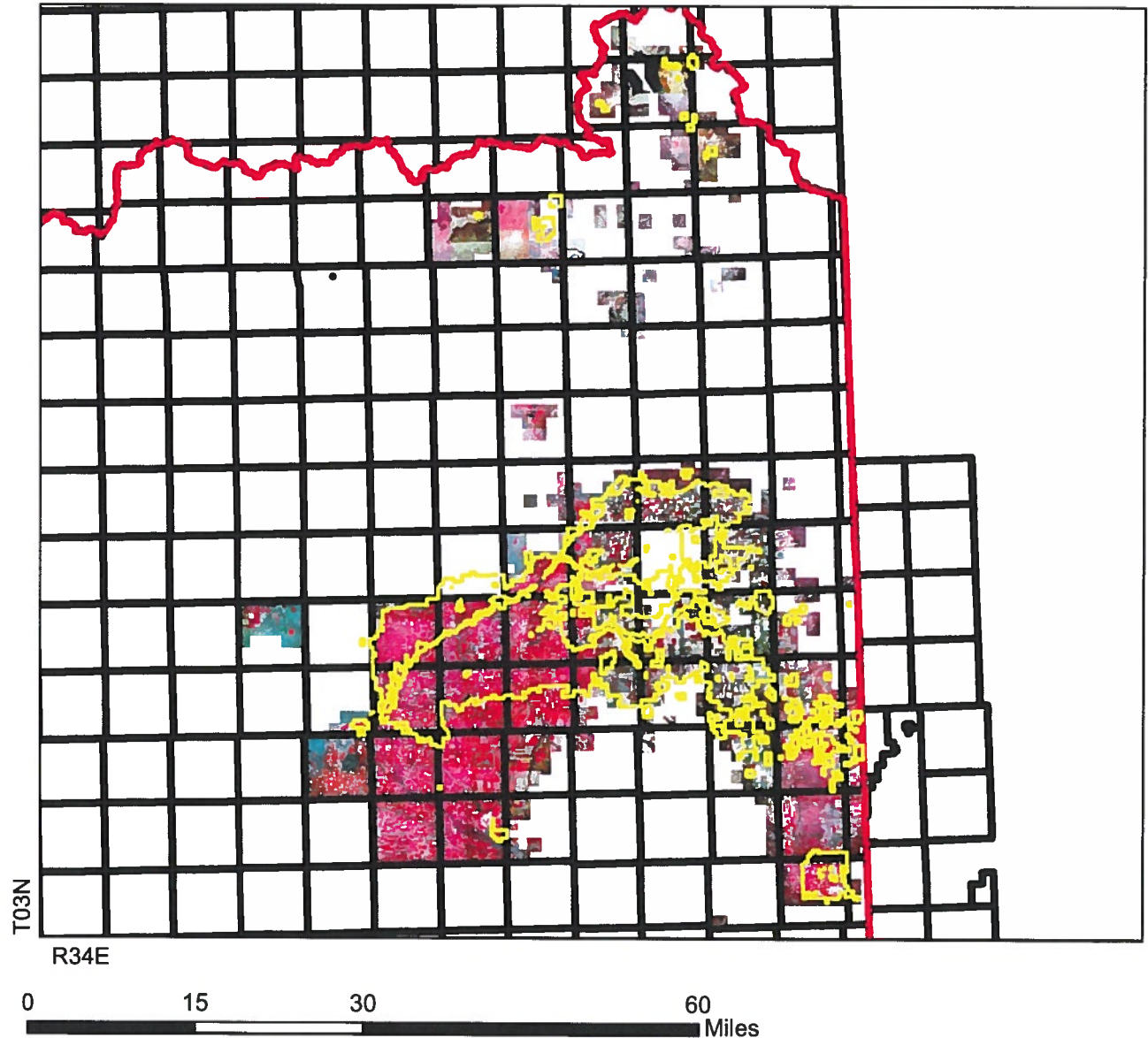
Adjudication Recommendations: 21-120A, 21-121A, 21-122A, 21-123A, 21-124A, 21-125A, 21-126A, 21-2156, 21-4155, 21-10560, 21-13151, 22-14057

Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships



Clark, Fremont, Jefferson, Madison,
Teton Counties



Prepared by Favreau, Danielle
November 1, 2012
1987/88 Aerial Photography

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

NOV - 6 2012

By _____

Clerk

Deputy Clerk

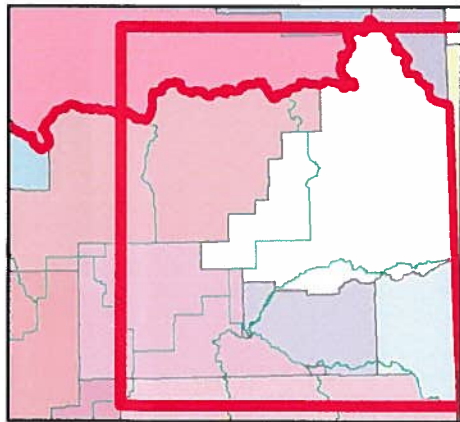


Fremont Madison Irrigation District

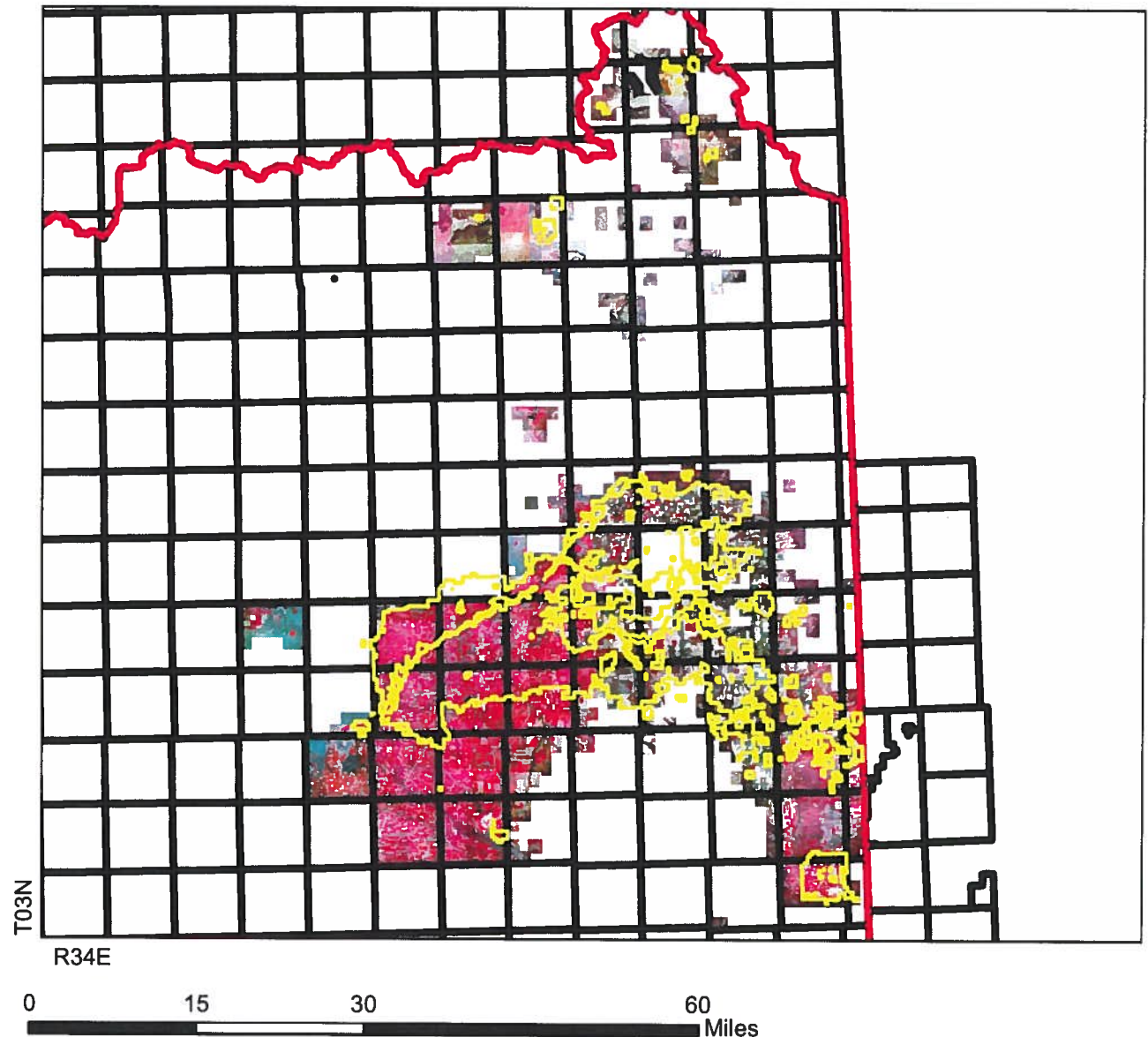
Adjudication Recommendations: 21-120A, 21-121A, 21-122A, 21-123A, 21-124A, 21-125A, 21-126A, 21-2156, 21-4155, 21-10560, 21-13151, 22-14057

Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships



Clark, Fremont, Jefferson, Madison,
Teton Counties



Prepared by Favreau, Danielle
November 1, 2012
1987/88 Aerial Photography

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

NOV - 6 2012

By _____

Clerk

Deputy Clerk

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 January 08, 2013, with sufficient first-class postage to the following:

FREMONT MADISON IRRIGATION

Represented by:

JERRY R RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098