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AUG 02 2012

DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| AUG - 1 2012                                                                              |
| By _____<br>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: 01-00004, 01-00010 & 01-00209  
) (Twin Falls Canal Company)  
)  
)  
)

I.

FINDINGS AND CONCLUSIONS

1. On June 5, 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](http://www.idwr.state.id.us)) or its successor Uniform Resource Locator (URL).

DATED August 1, 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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 01-00004

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| AUG - 1 2012                                                                              |              |
| By _____                                                                                  | Clerk        |
| _____                                                                                     | Deputy Clerk |

NAME AND ADDRESS: TWIN FALLS CANAL CO  
PO BOX 326  
TWIN FALLS, ID 83301

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 600.00 CFS

PRIORITY DATE: 12/22/1915

POINT OF DIVERSION: T10S R21E S29 LOT 8 (SWNESE) Within Twin Falls County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------------------|----------------|----------------|------------|
|                            | Irrigation     | 03-15 TO 11-15 | 600.00 CFS |

PLACE OF USE:

196162 ACRES TOTAL

Place of use is within the area served by Twin Falls Canal Company.

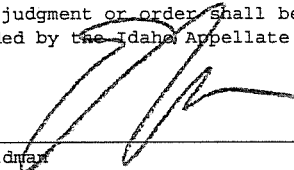
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk 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.

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

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 01-00010

NAME AND ADDRESS: TWIN FALLS CANAL CO  
PO BOX 326  
TWIN FALLS, ID 83301

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 180.00 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T10S R21E S29 LOT 8 (SWNESE) Within Twin Falls County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------------------|----------------|----------------|------------|
|                            | Irrigation     | 03-15 TO 11-15 | 180.00 CFS |

PLACE OF USE:

196162 ACRES TOTAL

Place of use is within the area served by Twin Falls Canal Company.

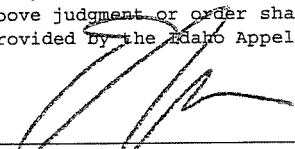
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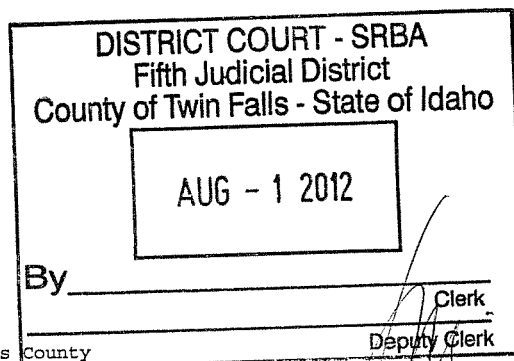
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Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication



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 01-00209

NAME AND ADDRESS: TWIN FALLS CANAL CO  
PO BOX 326  
TWIN FALLS, ID 83301

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3000.00 CFS

PRIORITY DATE: 10/11/1900

POINT OF DIVERSION: T10S R21E S29 LOT 8 (SWNESE) Within Twin Falls County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY    |
|----------------------------|----------------|----------------|-------------|
|                            | Irrigation     | 03-15 TO 11-15 | 3000.00 CFS |

PLACE OF USE:

196162 ACRES TOTAL

Place of use is within the area served by Twin Falls Canal Company.

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.

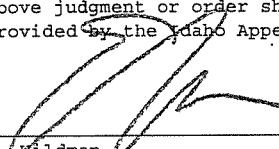
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

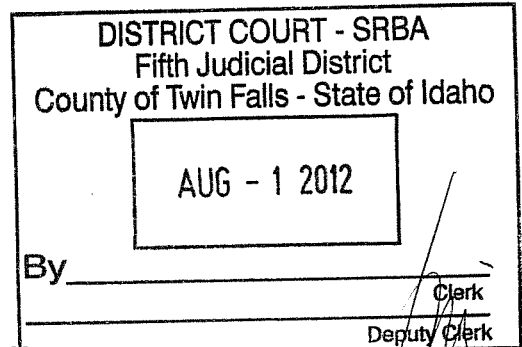
The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 14, 2006 with Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company and American Falls Reservoir District #2.

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).

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



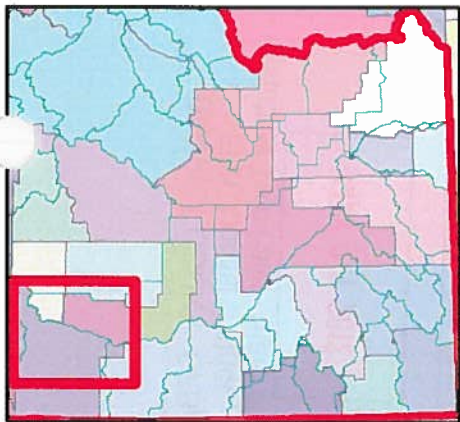


# Twin Falls Canal Co

Adjudication Recommendations: 1-4, 1-10, 1-209

Irrigation Service Area Boundary  
GIS Place of Use Illustration

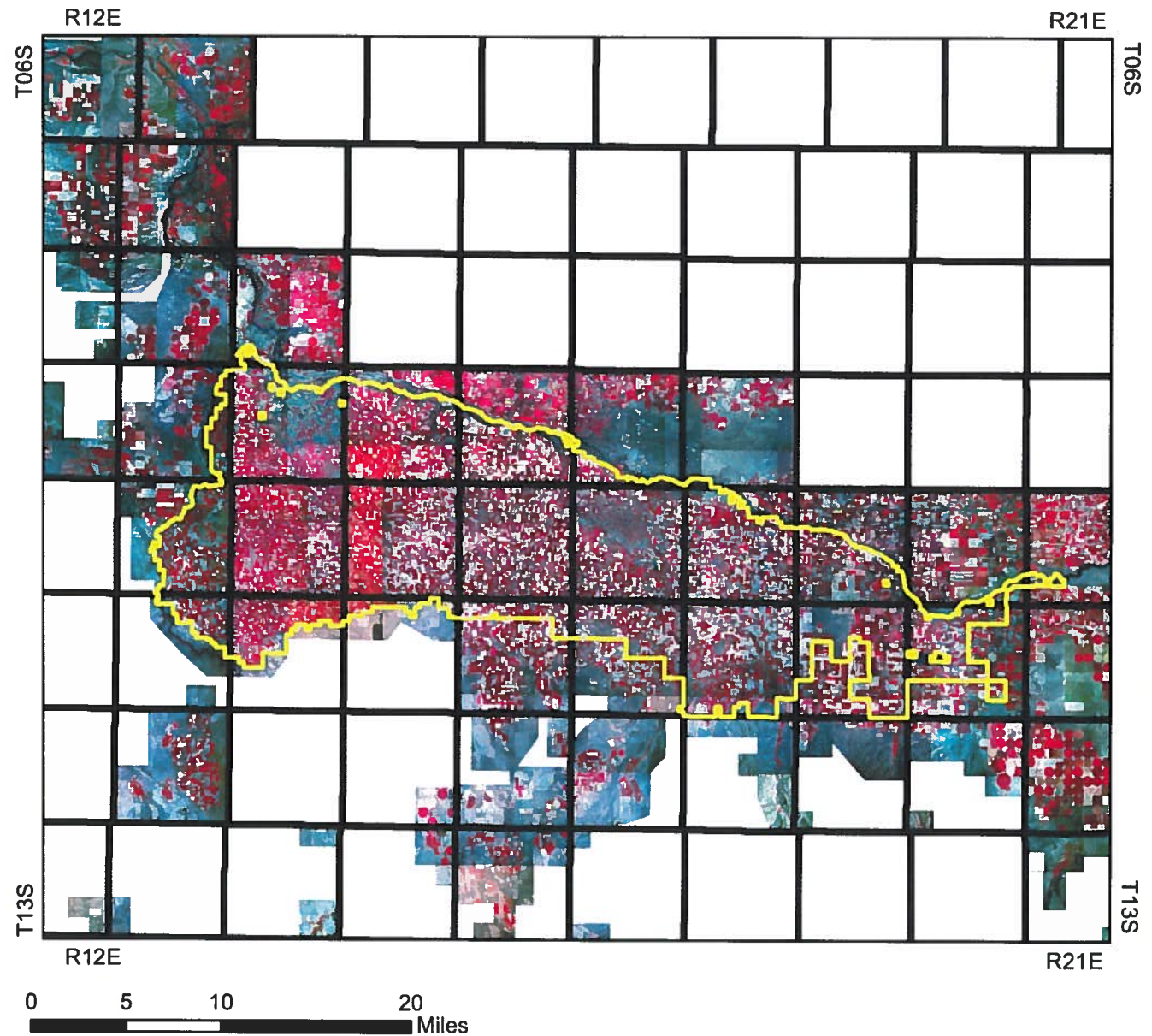
-  Service Area
-  State Outline
-  Townships



Gooding, Twin Falls, Jerome, Cassia Counties

**IDWR Basin 1**

Prepared by Favreau, Danielle  
On May 18, 2012



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

MAY 23 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 August 01, 2012, with sufficient first-class postage to the following:

CITY OF POCATELLO

Represented by:  
A. DEAN TRANMER  
CITY OF POCATELLO  
PO BOX 4169  
POCATELLO, ID 83201  
Phone: 208-234-6148

CITY OF POCATELLO

Represented by:  
PEMBERTON, MITRA M  
WHITE & JANKOWSKI LLP  
511 16TH ST STE 500  
DENVER, CO 80202  
Phone: 303-595-9441

ABERDEEN AMERICAN FALLS  
BINGHAM GROUND WATER DISTRICT  
BONNEVILLE-JEFFERSON GROUND  
IGWA INC  
JEFFERSON CLARK GROUND WATER  
MADISON GROUND WATER DISTRICT  
MAGIC VALLEY GROUND WATER DIST  
NORTH SNAKE GROUND WATER

Represented by:  
RANDALL C BUDGE  
201 E CENTER ST STE A2  
PO BOX 1391  
POCATELLO, ID 83204-1391  
Phone: 208-232-6101

BURLEY IRRIGATION DISTRICT

Represented by:  
ROGER D LING  
PO BOX 623  
RUPERT, ID 83350-0623  
Phone: 208-434-2717

CITY OF POCATELLO

Represented by:  
SARAH A KLAHN  
WHITE & JANKOWSKI LLP  
KITTTREDGE BUILDING  
511 16TH ST STE 500  
DENVER, CO 80202  
Phone: 303-595-9441

TWIN FALLS CANAL CO  
TWIN FALLS CANAL COMPANY

Represented by:  
TRAVIS L THOMPSON  
195 RIVER VISTA PL STE 204  
TWIN FALLS, ID 83301-3029  
Phone: 208-733-0700

UNITED STATES OF AMERICA  
USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

STATE OF IDAHO  
JRW BUILDING, SECOND FLOOR  
700 W STATE ST, PO BOX 44449  
BOISE, ID 83711-4449  
Phone: 208-334-2400

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

STATE OF IDAHO  
700 W JEFFERSON ROOM 210  
PO BOX 44449  
BOISE, ID 83711-4449  
Phone: 208-334-2400

