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MAR 30 2012

DEPARTMENT OF
WATER RESOURCES

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

MAR 29 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: 37-00296B, 37-00296C and
) 37-19740
) (Indian Creek Ranch Owners Assn. Inc.)
)
)

I.

FINDINGS AND CONCLUSIONS

1. On February 3, 2012, a *Special Master's Report and Recommendation* was filed for water rights 37-00296B and 37-00296C. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired. On February 16, 2012, an *Amended Special Master's Report and Recommendation* was filed for water right 37-19740. No Challenges were filed to the *Amended 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

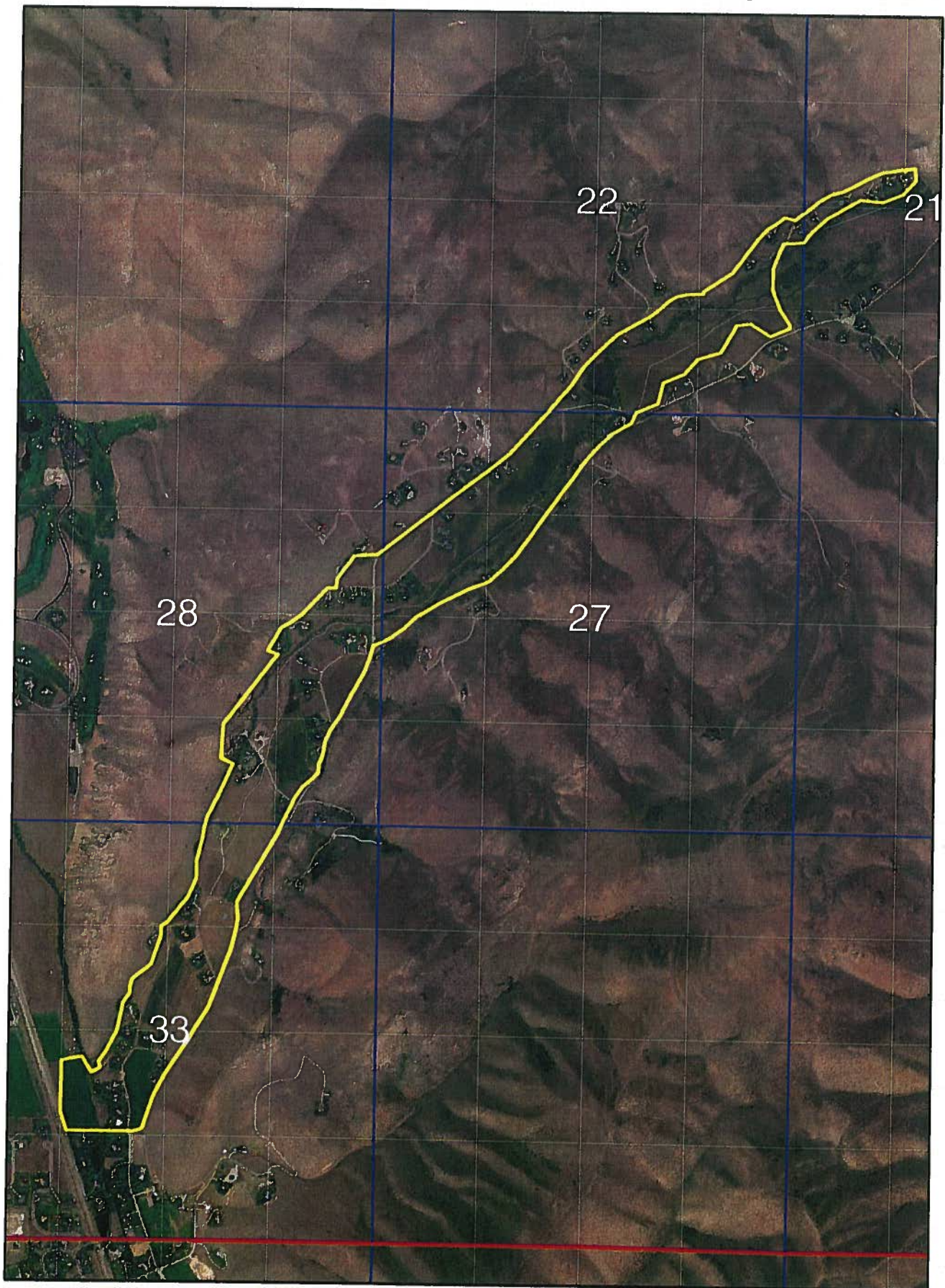
(www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED March 29, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

Indian Creek Ranch Owners Association Digital Boundary
for 37-296B, 37-296C and 37-19740



T03N R18E
2004 NAIP Photography

0 0.125 0.25 0.5 0.75 1
Miles



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 37-00296B

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

MAR 29 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: INDIAN CREEK RANCH OWNERS
ASSN INC
PO BOX 3411
HAILEY, ID 83333-3411

SOURCE: INDIAN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.72 CFS
122.50 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation. The total instantaneous diversion of water from all points of diversion shall not exceed 2.72 cfs, nor total combined annual diversion volume of 122.5 af. Right Nos. 37-296B and 37-296C are limited to a total combined diversion rate of 4.01 cfs.

PRIORITY DATE: 04/01/1880

Pursuant to a call in times of scarcity, rights 37-296B and 37-296C are junior to Water Right No. 37-296A.

POINT OF DIVERSION: T03N R18E S22 SWSE Within Blaine County
S23 NWSW
S27 NENW
S28 NESE
S33 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.72 CFS 122.50 AFY

PLACE OF USE:

Place of use is within the service area of the Indian Creek Ranch Owners Association as provided for under Idaho law, and is limited to the irrigation of 35 acres within the service area. The service area includes Lot 67 of Indian Creek Ranch Subdivision. 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

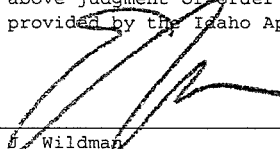
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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.

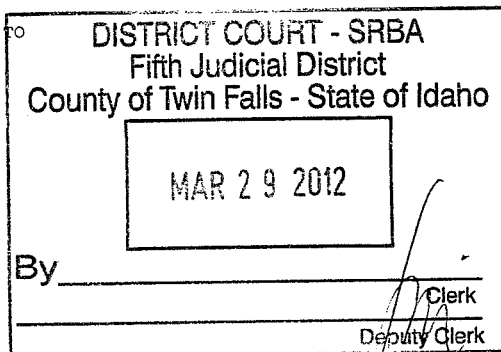


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 37-00296C



NAME AND ADDRESS: INDIAN CREEK RANCH OWNERS
ASSN INC
PO BOX 3411
HAILEY, ID 83333-3411

SOURCE: INDIAN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.01 CFS

Right Nos. 37-296B and 37-296C are limited to a total combined
diversion rate of 4.01 cfs.

PRIORITY DATE: 04/01/1880

Pursuant to a call in times of scarcity, rights 37-296B and
37-296C are junior to Water Right No. 37-296A.

POINT OF DIVERSION: T03N R18E S27 NENW Within Blaine County
SENW
S28 NESE
SWSE
S33 NWNE
NWNE
SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.01 CFS

PLACE OF USE:

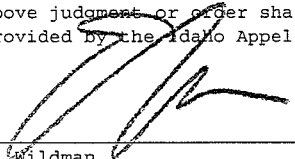
Place of use is within the service area of the Indian Creek
Ranch Owners Association as provided for under Idaho law, and is
limited to the irrigation of 78.6 acres within the service area.
The service area includes Lot 67 of Indian Creek Ranch
Subdivision.
The boundary encompassing the place of use 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)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-19740

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

MAR 29 2012

By

Clerk

Deputy Clerk

NAME AND ADDRESS: INDIAN CREEK RANCH OWNERS
ASSN INC
PO BOX 3411
HAILEY, ID 83333-3411

SOURCE: INDIAN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 367.50 AFY

The capacity of the storage reservoir is 22.5 AF. The reservoir
may be refilled multiple times up to the total diversion volume
in a single year.

The reservoir is filled by Water Right Nos. 37-296B, 37-296C and
other water accruing to Indian Creek and the reservoir below the
point of diversion for Water Right No. 37-296A.

PRIORITY DATE: 06/01/1931

POINT OF DIVERSION:	T03N R18E S22	SWSE (Injection)	Within Blaine County
		SWSE	
	S27	NENW (Rediversion)	
		SENEW (Rediversion)	
	S28	NESE (Rediversion)	
		NESE (Rediversion)	
		SWSE (Rediversion)	
	S33	NWNE (Rediversion)	
		NWNE (Rediversion)	
		SENEW (Rediversion)	

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	22.50 AFY
Irrigation from Storage	04-15 TO 10-31	367.50 AFY
Stockwater Storage	01-01 TO 12-31	18.00 AFY
Stockwater from Storage	01-01 TO 12-31	18.00 AFY
Recreation Storage	01-01 TO 12-31	22.50 AFY

PLACE OF USE: Recreation Storage Within Blaine County
T03N R18E S22 SESW SWSE

Place of use is within the service area of the Indian Creek
Ranch Owners Association as provided for under Idaho law. The
irrigation use is currently limited to the irrigation of 105
acres within the service area.
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.
The service area includes Lot 67 of Indian Creek Ranch
Subdivision.

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

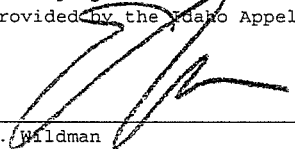
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 March 29, 2012, with sufficient first-class postage to the following:

DANA L HOFSTETTER
VICTOR U & DANA L HOFSTETTER

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CITY OF HAILEY

Represented by:
MICHAEL C CREAMER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
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INDIAN CREEK RANCH OWNERS

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

DIRECTOR OF IDWR

PO BOX 83720
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