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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 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: 01-00007,
) 01-00211B & 01-00214B,
) (Burley Irrigation District)
)
)

I.
FINDINGS AND CONCLUSIONS

1. On January 20, 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 February 29, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication



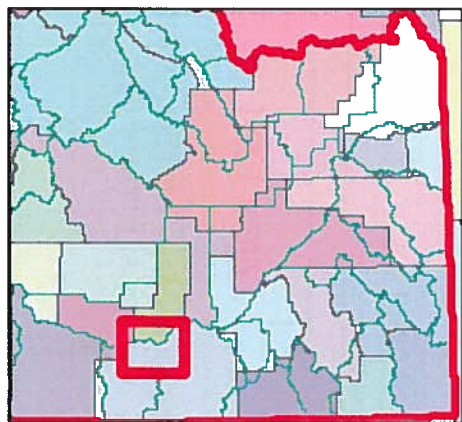
Burley Irrigation Dist

Adjudication Recommendations: 1-7, 1-211B, 1-214B

Irrigation Service Area Boundary
GIS Place of Use Illustration

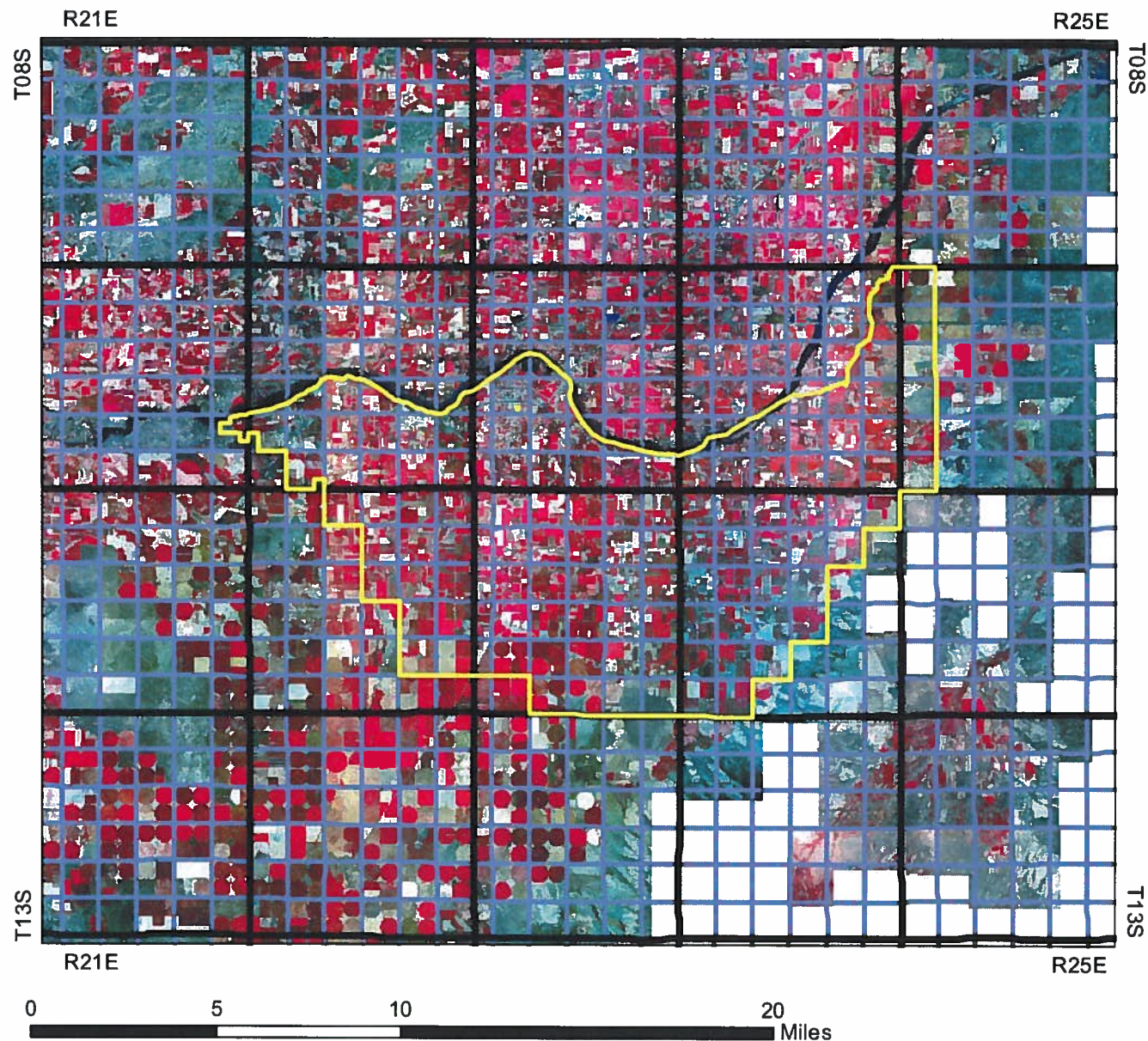
Legend

-  Service Area
-  State Outline
-  Townships
-  PLS Sections



Minidoka, Cassia Counties
IDWR Basin 1

Prepared by Egbert, Sandy
On December 20, 2011
1987/88 Aerial Photography



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 01-00007

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 29 2012	
By _____	Clerk
	Deputy Clerk

NAME AND ADDRESS: BURLEY IRRIGATION DISTRICT
246 E 100 S
BURLEY, ID 83318

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 163.40 CFS

The rights listed below are limited to a total combined diversion rate of 1460 cfs from the point of diversion located at T09S R25E S1 SWSESW. Combined Right Nos.: 1-211B, 1-214B, and 1-7 (Burley Irrigation District); and Right Nos. 1-211A, 1-214A, and 1-8 (Minidoka Irrigation District).

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T09S R25E S01 SWSESW Within Cassia County
T10S R22E S19 LOT 1 (NWSESE)
S22 NESENW
R24E S30 LOT 1 (SWSESE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	163.40 CFS

PLACE OF USE:

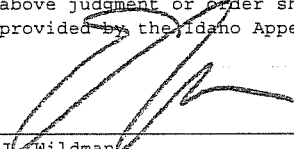
47643 ACRES TOTAL
Place of use is within the boundary of Burley Irrigation District pursuant to Section 43-323, Idaho Code. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 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. Use of the rights listed below is limited to the irrigation of a combined total of 47,643 acres in a single irrigation season. Combined Right Nos.: 1-7, 1-211B, and 1-214B.

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.



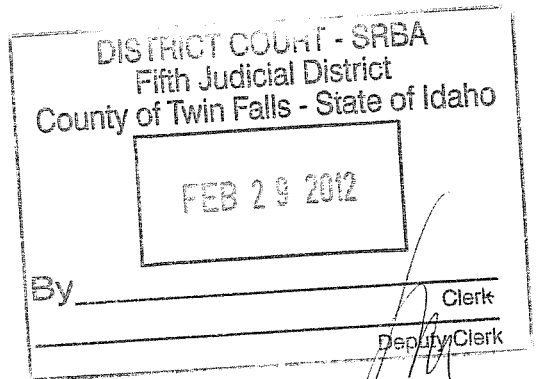
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 01-00211B



NAME AND ADDRESS: BURLEY IRRIGATION DISTRICT
246 E 100 S
BURLEY, ID 83318

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1200.00 CFS

The rights listed below are limited to a total combined diversion rate of 1460 cfs from the point of diversion located at T09S R25E S1 SWSESW. Combined Right Nos.: 1-211B, 1-214B, and 1-7 (Burley Irrigation District); and Right Nos. 1-211A, 1-214A, and 1-8 (Minidoka Irrigation District). The diversions under this right and Right No. 1-211A shall not exceed 1726 cfs. If the demands of Burley Irrigation District and the United States Department of the Interior, Bureau of Reclamation, for and on behalf of the North Side Division of the Minidoka Project (Minidoka Irrigation District) for diversions under this right and Right No. 1-211A exceed 1726 cfs or the flows then available under these rights, the right to divert water under this right by Burley Irrigation District will be reduced to meet the demands of Minidoka Irrigation District for water under this right, but the right under such condition shall not be reduced to less than 38% of the flows then available under this right and Right No. 1-211A.

PRIORITY DATE: 03/26/1903

POINT OF DIVERSION: T09S R25E S01 SWSESW Within Cassia County
T10S R22E S19 LOT 1 (NWSESE)
S22 NESENW
R24E S30 LOT 1 (SWSESE)

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 11-15	1200.00 CFS

PLACE OF USE:

47643 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 boundary of Burley Irrigation District pursuant to Section 43-323, Idaho Code. This right is limited to the irrigation of 34,563 acres within the place of use described above in a single irrigation season.

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,

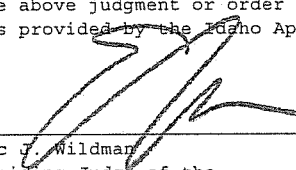
OTHER PROVISIONS (continued)

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).

RULE 54(b) CERTIFICATE

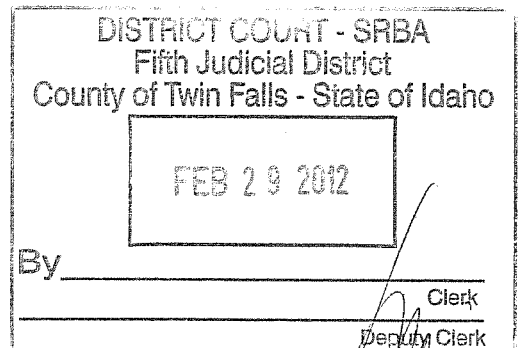
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 01-00214B



NAME AND ADDRESS: BURLEY IRRIGATION DISTRICT
246 E 100 S
BURLEY, ID 83318

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 544.00 CFS

The diversions under this right and Right No. 1-214A shall not exceed 1000 cfs. If the demands of Burley Irrigation District and the United States Department of the Interior, Bureau of Reclamation, for and on behalf of the North Side Division of the Minidoka Project (Minidoka Irrigation District) for diversions under this right and Right No. 1-214A exceed 1000 cfs or the flows then available under these rights, the right to divert water under this right by Burley Irrigation District will be reduced to meet the demands of Minidoka Irrigation District for water under this right, but the right under such condition shall not be reduced to less than 38% of the flows then available under this right and Right No. 1-214A.

The rights listed below are limited to a total combined diversion rate of 1460 cfs from the point of diversion located at T09S R25E S1 SWSESW. Combined Right Nos.: 1-211B, 1-214B, and 1-7 (Burley Irrigation District); and Right Nos. 1-211A, 1-214A, and 1-8 (Minidoka Irrigation District).

PRIORITY DATE: 08/06/1908

POINT OF DIVERSION: T09S R25E S01 SWSESW Within Cassia County
T10S R22E S19 LOT 1 (NWSESE)
S22 NESENW
R24E S30 LOT 1 (SWSESE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	544.00 CFS

PLACE OF USE:

47643 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 boundary of Burley Irrigation District pursuant to Section 43-323, Idaho Code.

Use of the rights listed below is limited to the irrigation of a combined total of 47,643 acres in a single irrigation season.

Combined Right Nos.: 1-7, 1-211B, and 1-214B.

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

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

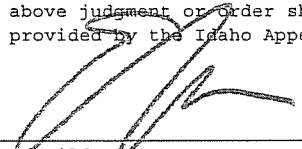
OTHER PROVISIONS (continued)

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).

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 February 29, 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

IGWA INC

Represented by:

RANDALL C BUDGE

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PO BOX 1391

POCATELLO, ID 83204-1391

Phone: 208-232-6101

BLACKFOOT IRRIGATION CO

FREMONT-MADISON IRRIGATION

UNITED CANAL CO

Represented by:

JERRY R. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

A & B IRRIGATION DISTRICT

BURLEY IRRIGATION DISTRICT

FALLS IRRIGATION DISTRICT

Represented by:

ROGER D LING

615 H ST

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RUPERT, ID 83350-0396

Phone: 208-436-4717

BURLEY IRRIGATION DISTRICT

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BOISE, ID 83701-2139

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CITY OF POCATELLO

Represented by:

SARAH A KLAHN

WHITE & JANKOWSKI LLP

KITTREDGE BUILDING

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DENVER, CO 80202

Phone: 303-595-9441

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

BURLEY IRRIGATION DISTRICT

NORTH SIDE CANAL CO LTD

TWIN FALLS CANAL COMPANY

Represented by:

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Represented by:

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PO BOX 485

TWIN FALLS, ID 83303-0485

Phone: 208-733-0700

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

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Deputy Clerk