

RECEIVED

JUN 12 2009

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

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

JUN 10 2009

ORDER OF PARTIAL DECREE FOR
IRRIGATION DELIVERY ENTITY
USING DIGITAL BOUNDARY
DESCRIPTION; I.C. §§ 42-202B(2), 42-
219(2), 42-1411(2)(h)

For Water Right: 78-04016
(City of Riggins)

DEPARTMENT OF
WATER RESOURCES

I.
FINDINGS AND CONCLUSIONS

1. January 5, 2007, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Basin 78, Reporting Area 24, for Irrigation and Other Uses*, which included recommendation(s) for the above-captioned water right(s). The recommendation(s) included descriptions for the place of use element using a "digital boundary" as defined by I.C. § 42-202(B)(2)(2003). On May 25, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change of address for said rights. No objections to the amended recommendation(s) was/were filed and the time period for filing objections has now expired.
2. The above-captioned water right(s) is/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 right(s) is/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

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.*

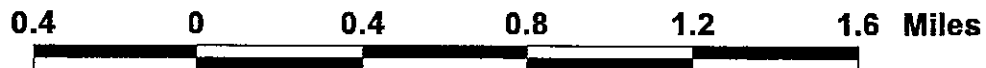
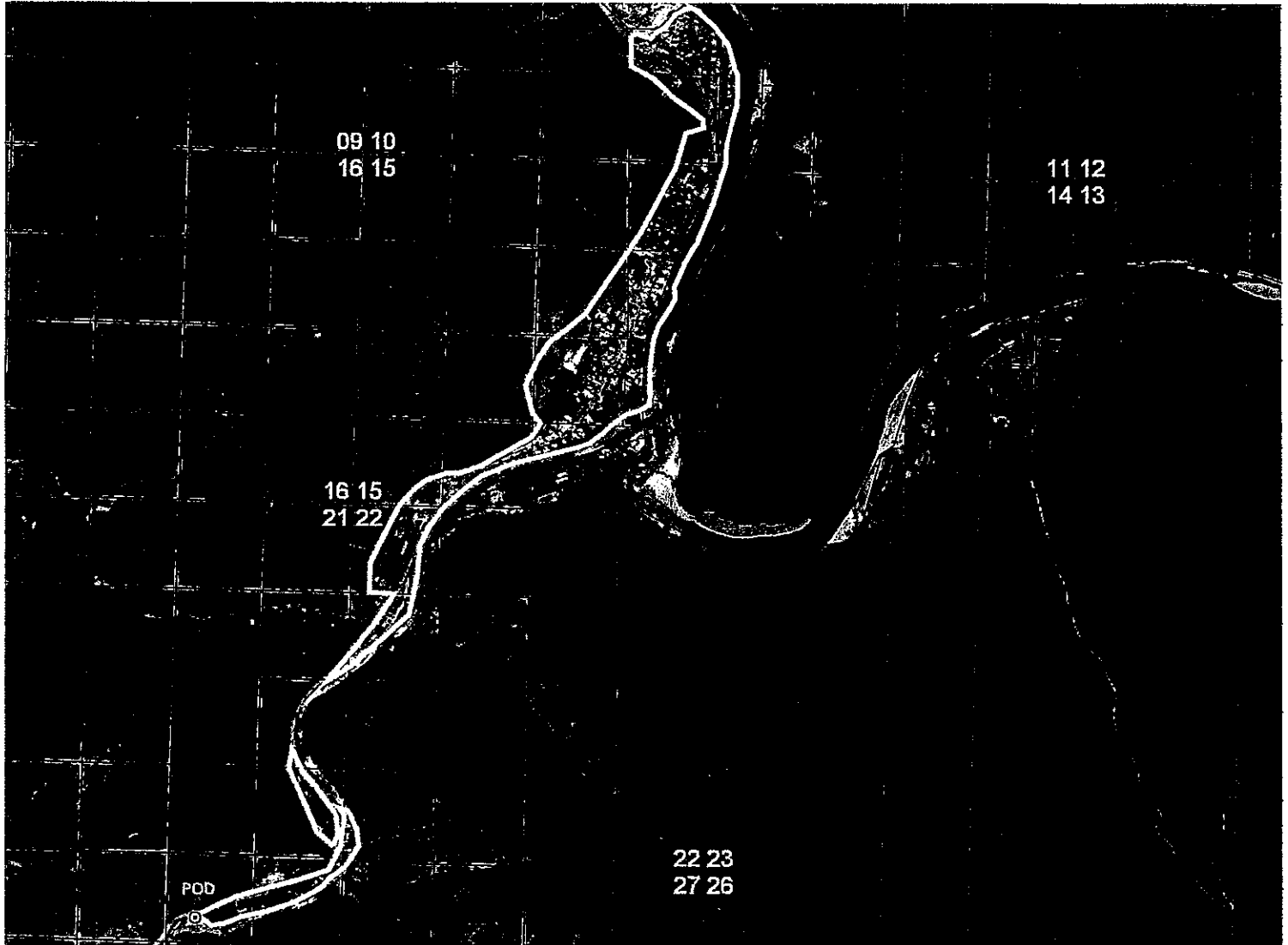
II. ORDER

1. Therefore, IT IS ORDERED that the above-captioned water right(s) is/are hereby **decreed** as set forth in the attached *Partial Decree(s) 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 Decree(s)* and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decree(s)* 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 June 10, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

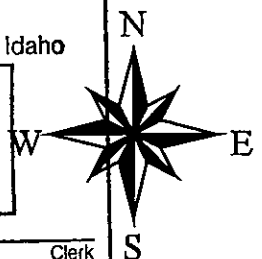
78-4016 City of Riggins



**T24N R01E S10 S11 S15
S21 S22 S27 & S28**

Map prepared by: Carter Fritschle
Date prepared: 01/03/07
2004 NAIP Photography
Idaho Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN - 5 2007	
By _____	Clerk _____
	Deputy Clerk _____



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION was mailed on June 10, 2009, with sufficient first-class postage to the following:

CITY OF RIGGINS
PO BOX 249
RIGGINS, ID 83549
Phone: 208-628-3394

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".