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DEPARTMENT OF
WATER RESOURCES

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

JUN - 8 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

ORDER OF AMENDED PARTIAL
DECREE

For water right: 02-02072
(Opaline Irrigation District)

A *Partial Decree* was issued for the above-captioned water right on May 20, 2009, with a digital boundary. 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 certain criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). This Court previously found that this right satisfies such criteria. 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*.

Thereafter, it came to the Court's attention that the total number of acres was omitted from the face of the *Partial Decree*. The Court finds this was due to a clerical error.

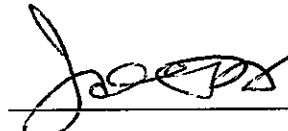
Therefore, IT IS ORDERED that the above-captioned water right is hereby **amended** and **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary for the *Partial Decree* issued for this right on May 20, 2009 shall still serve as the digital boundary for this *Amended Partial Decree*.

IT IS FURTHER HEREBY ORDERED that the SRBA District Court shall continue to retain the same CD-ROM medium that serves as the original digital boundary, along with the *Amended Partial Decree*. IDWR shall continue to retain the other original CD-ROM. The Court finds that it is not necessary to issue an amended digital boundary, as the clerical error was in the face of the *Partial Decree*, not in the digital boundary.

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).

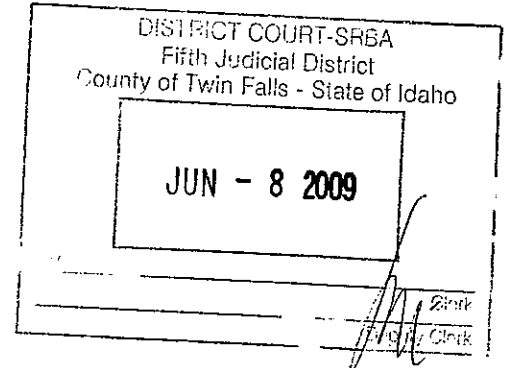
Dated June 8, 2009



JOHN M. MELANSON
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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-02072



NAME AND ADDRESS: OPALINE IRRIGATION DIST
PO BOX 331
MARSING, ID 83639

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 50.32 CFS

PRIORITY DATE: 10/08/1948

POINT OF DIVERSION: T01N R03W S08 LOT 3 (NWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	50.32 CFS

PLACE OF USE:

Place of use is within the area served by Opaline Irrigation District.

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.

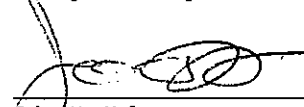
2516 ACRES TOTAL

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

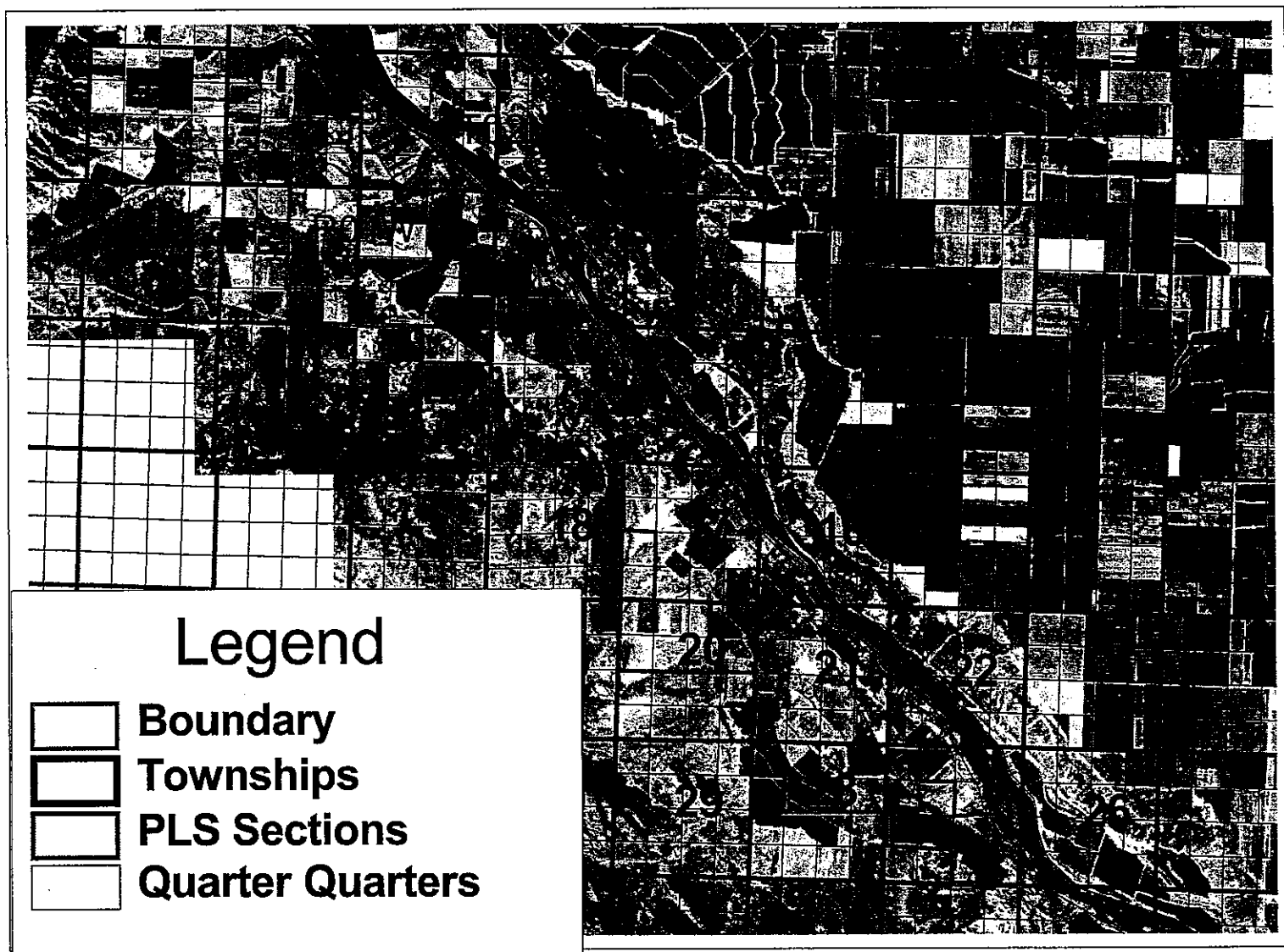
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Opaline Irrigation District Service Area Boundary Water Right No. 2-2072



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on June 08, 2009, with sufficient first-class postage to the following:

OPALINE IRRIGATION DIST
PO BOX 331
MARSING, ID 83639
Phone: 208-896-4217

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

ORDER

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FILE COPY FOR 00049

Deputy Clerk

A handwritten signature in cursive script, appearing to read "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".