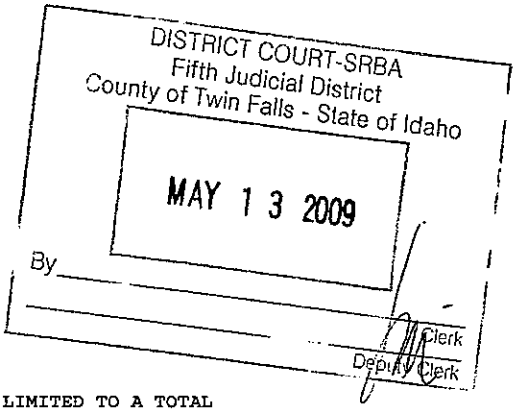
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 02-07068



NAME AND ADDRESS: LITTLE VALLEY MUTUAL
IRRIGATION CO
C/O BART FOWERS
PO BOX 160
GRAND VIEW, ID 83624

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 51.40 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 14725 AF. COMBINED RIGHT NOS.: 2-2442, 2-2443, 2-10294, 57-2202, 57-2203
Rights 2-2442, 2-2443, 2-7030, 2-7068, 2-10294 and 2-7221 when combined shall not exceed a total diversion rate of 69.11 cfs.

PRIORITY DATE: 08/14/1970

POINT OF DIVERSION: T06S R04E S02 LOT 3 (NENW) Within Owyhee County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	51.40 CFS

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Place of use is within the area served by Little Valley Mutual Irrigation Co..
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 THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4196 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-2442, 2-2443, 2-7030, 2-7221, 2-10294, 57-2202, 57-2203
This right is limited to the irrigation of 2945 acres within the place of use described above in a single irrigation season.

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

RECEIVED
MAY 14 2009
DEPARTMENT OF WATER RESOURCES

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	**ORDER OF PARTIAL DECREE FOR IRRIGATION DELIVERY ENTITY USING DIGITAL BOUNDARY DESCRIPTION; I.C. §§ 42-202B(2), 42-219(2), 42-1411(2)(h)**
Case No. 39576	**For Water Right: See Attached Exhibit A (Little Valley Mutual Irrigation Co.)**

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAY 13 2009
By _____ Clerk
Deputy Clerk

I.
FINDINGS AND CONCLUSIONS

1. On December 29, 2006, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Basin 02, Part I, Reporting Area 20, 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 January 8, 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

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 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 May 13, 2009.

JOHN M. MELANSON
~~Presiding~~ Judge
Snake River Basin Adjudication

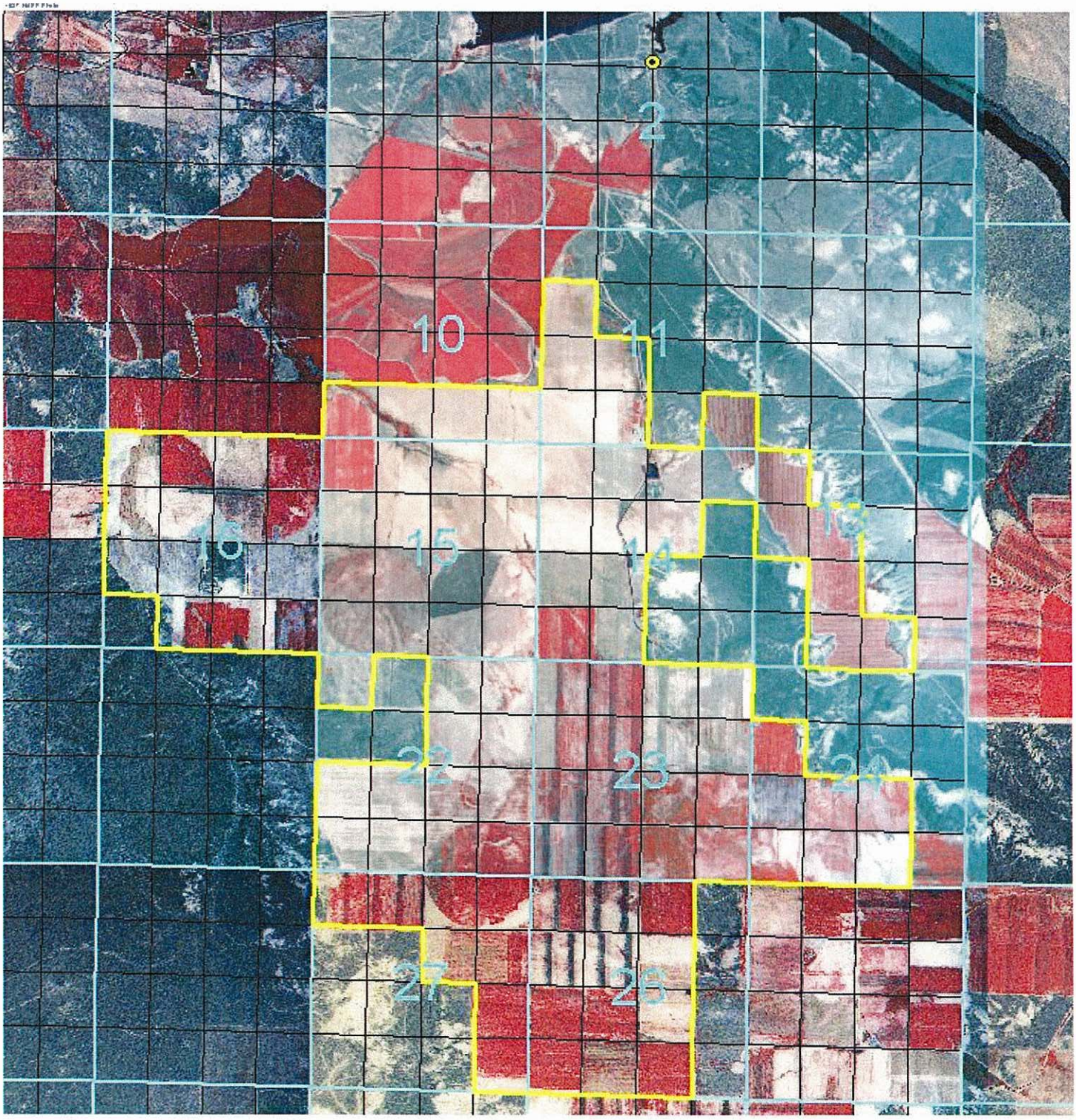
EXHIBIT A - LITTLE VALLEY MUTUAL IRR

Subcase Nos:

02-02442
02-02443
02-07030
02-07068
02-07221
02-10294

(Subcase list: LITTLEVALL)
4/07/09

Idaho Department of Water Resources



Little Valley Mutual Irrigation Co.
Legal: T06S R04E
Claim Numbers: 02-2442, 02-2443
02-7221, 02-7030, 02-7068
Reviewed by: SJR 2/22/05

Point of Diversion
Place of Use
Section Lines
Quarter Quarter Lines

N

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 May 13, 2009, with sufficient first-class postage to the following:

LITTLE VALLEY MUTUAL
IRRIGATION CO
C/O BART FOWERS
PO BOX 160
GRAND VIEW, ID 83624
Phone: 208-845-2181

LITTLE VALLEY MUTUAL
IRRIGATION CO
C/O BART FOWERS
PO BOX 160
GRAND VIEW, ID 83624
Phone: 208-845-2181

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

Deputy Clerk