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MAY 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

MAY 11 2009

By

Clerk

Deputy Clerk

ORDER OF PARTIAL DECREES FOR  
IRRIGATION DELIVERY ENTITY  
USING DIGITAL BOUNDARY

DESCRIPTION; I.C. §§ 42-202B(2), 42-  
219(2), 42-1411(2)(h)

For Water Rights: See Attached Exhibit A  
(Baseline Canal Co. / Basline Pump Assn. )

I.

FINDINGS AND CONCLUSIONS

1. On February 21, 2007, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Basin 37, Part III, Reporting Area 16, 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

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](http://www.idwr.state.id.us)) or its successor Uniform Resource Locator (URL).

Dated May 11, 2009.

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (BASELINE CANAL)

Subcase Nos:

37-00891B

37-01206

37-02556A

37-04109

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 37-00891B

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

MAY 11 2009

By \_\_\_\_\_ Clerk  
Dec. M. Clerk

NAME AND ADDRESS: BASELINE CANAL CO  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 6.00 CFS

PRIORITY DATE: 07/24/1924

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Tom Hughes, et. al., plaintiff vs. Mans H. Coffin, Watermaster, Defendant in the Fourth Judicial District of the State of Idaho in and for the County of Blaine dated 7/18/1941.

POINT OF DIVERSION: T01N R18E S12 NWSESW Within Blaine County  
S25 NWSENW (Rediversion)

This right is measured and administered at the point of rediversion.

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-15 TO 10-31 | 6.00 CFS |

PLACE OF USE:

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 rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109. This right is limited to the irrigation of 2859.2 acres within the boundary of the Baseline Canal Co.

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

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E and when water is delivered into the Extension Bypass canal heading from the Bypass canal within the NW1/4NW1/4NW1/4 Section 36, T1N, R18E and when rights of 6/15/1883 priority are curtailed. This right is curtailed when all priority rights deliverable through the Extension Bypass system are futile or not called for during the irrigation season.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

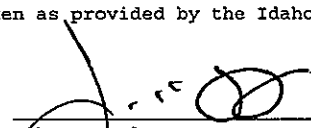
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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 37-01206

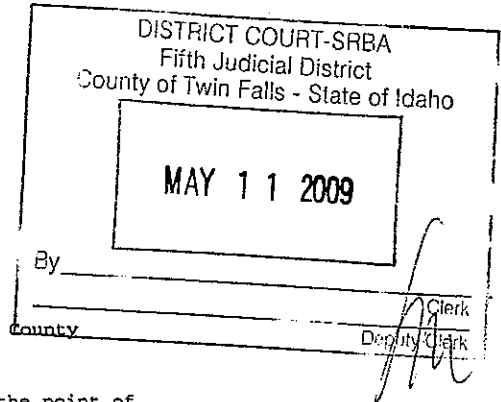
NAME AND ADDRESS: BASELINE CANAL CO  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY, ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 30.00 CFS

PRIORITY DATE: 04/01/1921

POINT OF DIVERSION: T01N R18E S12 NWSESW Within Blaine County  
S25 NWSENW (Rediversion)



This right is measured and administered at the point of  
rediversion.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|-------------------------------|----------------|----------------|-----------|
|                               | Irrigation     | 04-15 TO 10-31 | 30.00 CFS |

PLACE OF USE:

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.

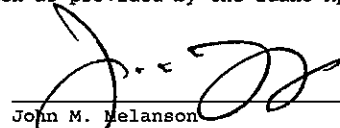
The rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109. This right is limited to the irrigation of 2859.2 acres within the boundary of the Baseline Canal Co.

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

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 )  
 )  
Water Right 37-02556A

NAME AND ADDRESS: BASELINE CANAL CO  
BASELINE PUMP ASSN # 2  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 6.76 CFS  
1874.30 AFY

PRIORITY DATE: 09/21/1954

POINT OF DIVERSION: T01N R19E S31 SWSWSW Within Blaine County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|----------------------------|----------------|----------------|-------------------------|
|                            | Irrigation     | 04-15 TO 10-31 | 6.76 CFS<br>1874.30 AFY |

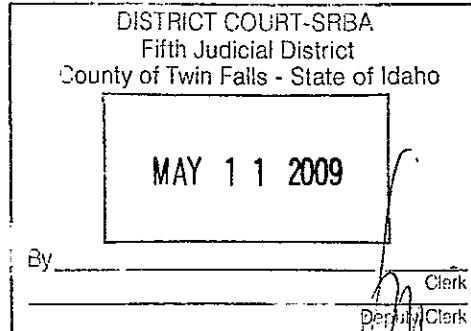
PLACE OF USE:

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 rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109. This right is limited to the irrigation of 535.5 acres within the boundary of the Baseline Canal Co.

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

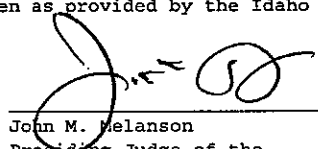
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this 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

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 37-04109

NAME AND ADDRESS: BASELINE CANAL CO  
BASELINE PUMP ASSN # 1  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 6.00 CFS  
2380.20 AFY

PRIORITY DATE: 06/18/1955

POINT OF DIVERSION: T01N R19E S31 SENESW Within Blaine County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|----------------------------|----------------|----------------|-------------------------|
|                            | Irrigation     | 04-15 TO 10-31 | 6.00 CFS<br>2380.20 AFY |

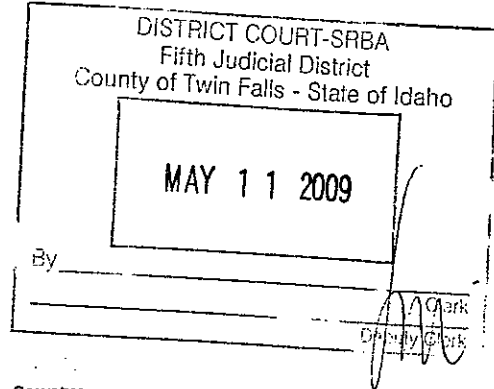
PLACE OF USE:

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 rights listed below are limited to the irrigation of a combined total of 2859.2 acres in a single irrigation season. Combined Right Nos.: 37-891B, 37-1206, 37-2556A and 37-4109. This right is limited to the irrigation of 1116.4 acres within the boundary of the Baseline Canal Co.

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

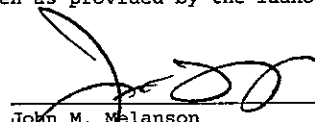
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

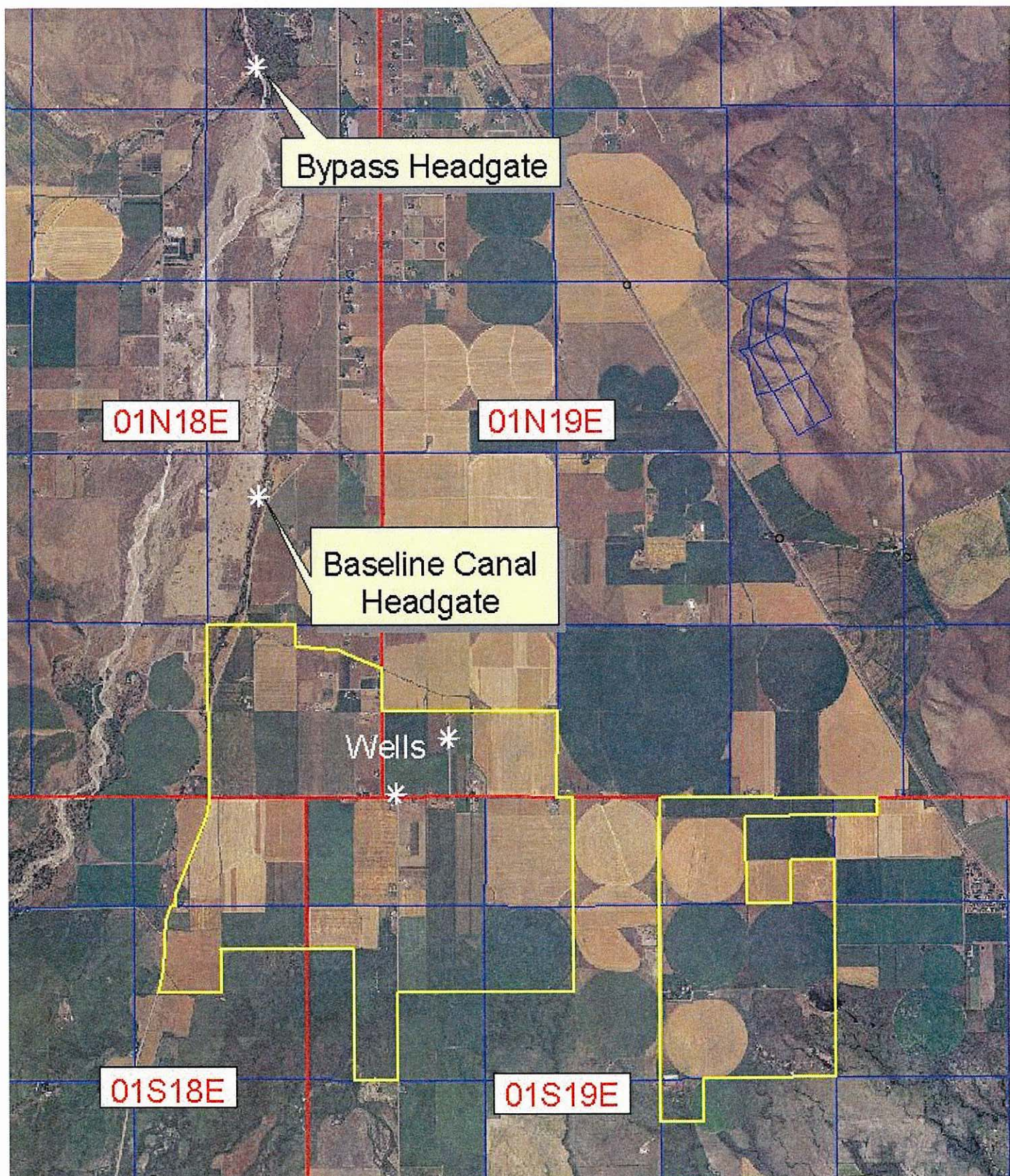
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).



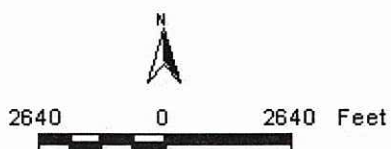
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\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication



**BASELINE CANAL COMPANY**  
Digital Service Area Boundary  
**37-891B et al**



2004 NAIP Photography  
D. Jones  
2-1-2007

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 11, 2009, with sufficient first-class postage to the following:

BASELINE CANAL CO  
BASELINE PUMP ASSN # 1  
BASELINE PUMP ASSN # 2  
C/O CATHY ZACCARDI  
PO BOX 743  
HAILEY, ID 83333  
Phone: 208-788-4619

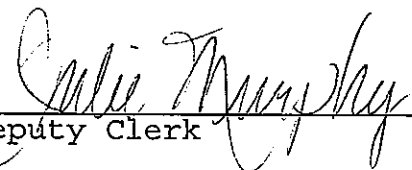
DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

ORDER

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FILE COPY FOR 00846

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Emily Murphy", is written over a horizontal line.