

RECEIVED

SEP 11 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 10 2008	
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 DECREE FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) For Water Rights: 78-02085, 78-04006A,
) 78-04006B, and 78-04288
)
)

I.

FINDINGS AND CONCLUSIONS

1. On January 5, 2007, the Idaho Department of Water Resources (IDWR) filed its *Director's Report for Basin 78, Irrigation and Other Uses, Part I*, which included recommendations for the above water right. No objections were filed. In conjunction with reviewing the right for *Partial Decree*, it came to the attention of the Court that the place of use element was not described. On June 9, 2008, pursuant to *Notice of Hearing on Place of Use Element for Storage Rights* issued on November 13, 2007, IDWR filed an *Amended Director's Report* including digital boundaries. No objections were filed.
2. The above-captioned water right is 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 right is hereby **decreed** as set forth in the attached *Partial Decree 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*, and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decree* 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 September 10, 2008.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
)
Case No. 39576) I.R.C.P. 54(b) FOR
_____) Water Right 78-02085

DISTRICT COURT-SR8A
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 10 2008

By _____ Clerk
_____ Deputy Clerk

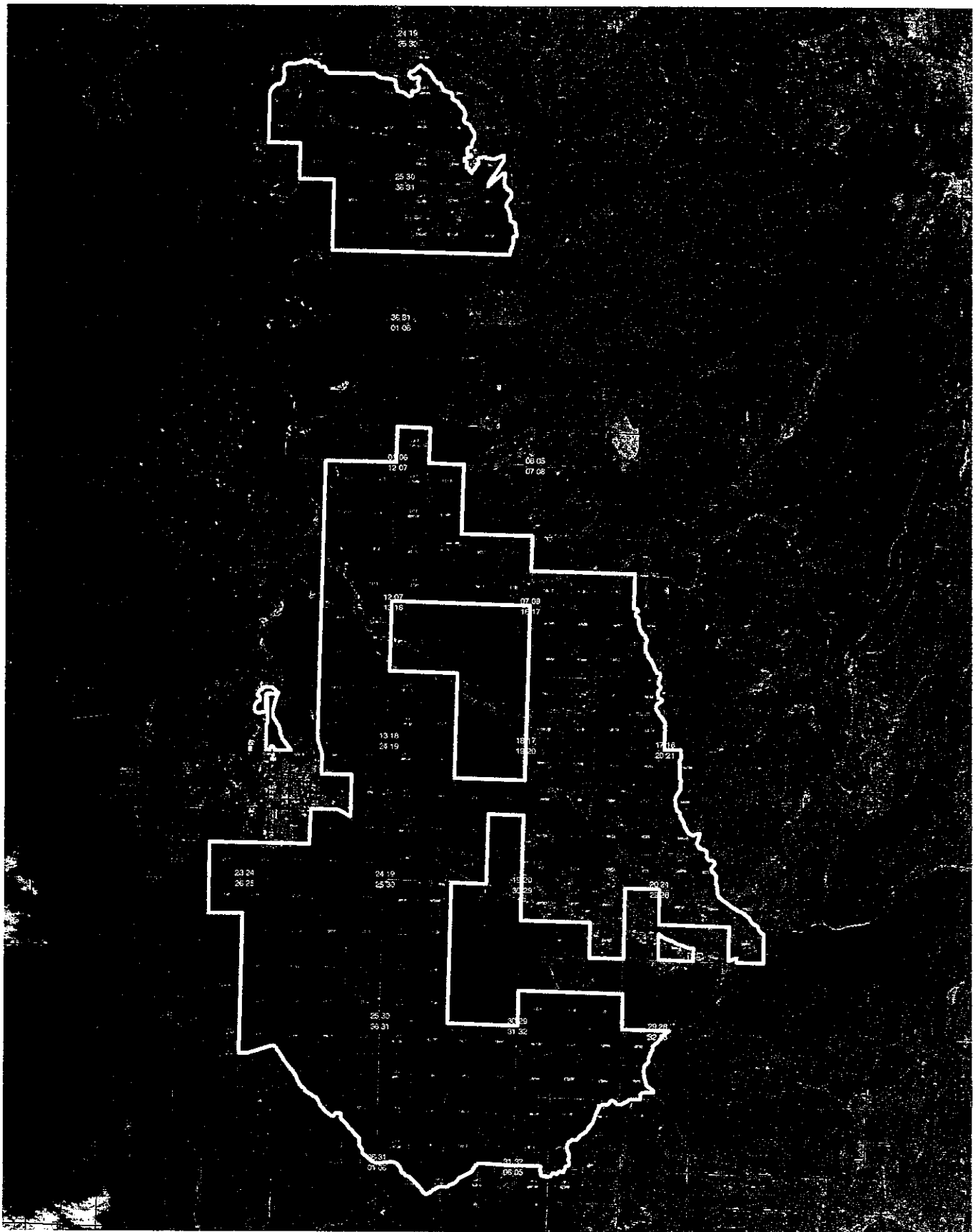
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	3538.00 AFY
	Irrigation from Storage	04-01 TO 10-31	3538.00 AFY

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).

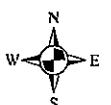
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

PAGE 1
Aug-27-2008

Brundage Water Users Association Digital Boundary



Map prepared by: Carter Fritschle
Date prepared: 05/30/08
2004 NAIP Photography
Idaho 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 78-04006A

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 10 2008
By _____ - Clerk Deputy Clerk

NAME AND ADDRESS: GOOSE LAKE RESERVOIR CO
C/O STEVE CAMPBELL
3975 CAMPBELL RD
NEW MEADOWS, ID 83654

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 3500.00 AFY

PRIORITY DATE: 09/26/1922

POINT OF DIVERSION:	T19N R02E S19	NWSESE (Rediversion)	Within Adams County
	S27 LOT 1	(SNNWNW) (Rediversion)	
	S28	SESWNE (Rediversion)	
		NESWNW (Rediversion)	
	S29	NWNENE (Rediversion)	
		NESENE (Rediversion)	
		NWNENW (Rediversion)	
	T20N R02E S14	SENESE (Injection)	
		NESE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	3500.00 AFY
	Irrigation from Storage	04-01 TO 10-31	3500.00 AFY

PLACE OF USE:

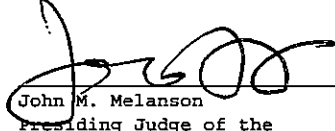
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk 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.

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.



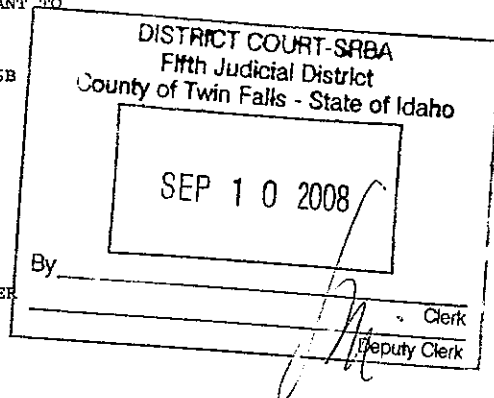
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54 (b) FOR

Water Right 78-04006B



NAME AND ADDRESS: GOOSE LAKE RESERVOIR CO
C/O STEVE CAMPBELL
2975 CAMPBELL RD
NEW MEADOWS, ID 83654

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1150.00 AFY

PRIORITY DATE: 10/01/1925

POINT OF DIVERSION: T19N R02E S19 NWSESE (Rediversion) Within Adams County
S27 LOT 1 (SWNWNW) (Rediversion)
S28 SESWNE (Rediversion)
NESWNW (Rediversion)
S29 NWNENE (Rediversion)
NESENE (Rediversion)
NWNENW (Rediversion)
T20N R02E S14 SENESE (Injection)
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	1150.00 AFY
	Irrigation from Storage	04-01 TO 10-31	1150.00 AFY

PLACE OF USE:

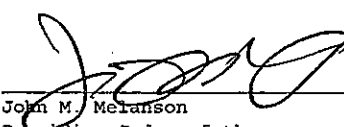
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 78-04288

NAME AND ADDRESS:

CAMPBELL RANCH
C/O STEVE CAMPBELL
3975 CAMPBELL RD
NEW MEADOWS, ID 83654

NITA BRANSTETTER TRUST
NITA BRANSTETTER TRUSTEE
PO BOX 175
NEW MEADOWS, ID 83654

DORIS BRANSTETTER
OSCAR W BRANSTETTER
PO BOX 14
NEW MEADOWS, ID 83654

CH PROPERTIES LLC
PO BOX 2036
MC CALL, ID 83638

OSBORN RANCH INC
PO BOX 209
NEW MEADOWS, ID 83654

ARMACOST INVESTMENTS LLLP
PO BOX 219
NEW MEADOWS, ID 83654

ALICE L BRANSTETTER
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS, ID 83654

DONALD L BRANSTETTER
SOTERA E BRANSTETTER
PO BOX 322
NEW MEADOWS, ID 83654

WILLIAM H BRANSTETTER
406 S ROBINSON BLVD
NAMPA, ID 83651

NEVA M BRANSTETTER
406 S ROBINSON BLVD
NAMPA, ID 83687

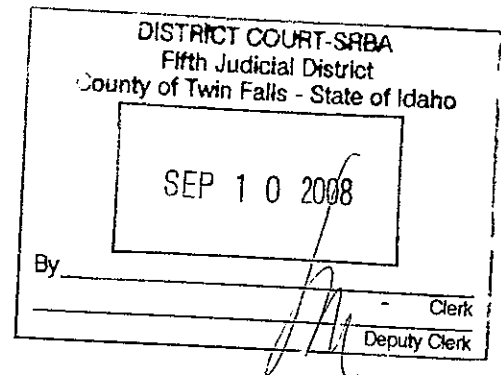
GEORGE A HEATH
HELEN L HEATH
920 RUTH LN
NAMPA, ID 83686

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1900.00 AFY

PRIORITY DATE: 01/01/1951

POINT OF DIVERSION: T19N R02E S27 LOT 1 (SWNNW) (Rediversion) Within Adams County
T20N R02E S14 SENESE (Injection)
NESE



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

POINT OF DIVERSION (continued)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	1900.00 AFY
	Irrigation from Storage	04-01 TO 10-31	1900.00 AFY

PLACE OF USE:

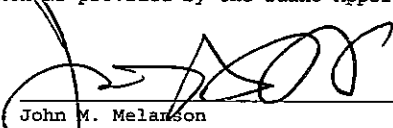
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

1 0.5 0 1 2 Miles



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 September 10, 2008, with sufficient first-class postage to the following:

GOOSE LAKE RESERVOIR CO
C/O STEVE CAMPBELL
2975 CAMPBELL RD
NEW MEADOWS, ID 83654

CAMPBELL RANCH
GOOSE LAKE RESERVOIR CO
C/O STEVE CAMPBELL
3975 CAMPBELL RD
NEW MEADOWS, ID 83654

NITA BRANSTETTER TRUST
NITA BRANSTETTER TRUSTEE
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NEW MEADOWS, ID 83654
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DORIS BRANSTETTER
OSCAR W BRANSTETTER
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NEW MEADOWS, ID 83654
Phone: 208-347-2257

CH PROPERTIES LLC
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MC CALL, ID 83638
Phone: 208-634-4614

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NEW MEADOWS, ID 83654
Phone: 208-347-2364

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DONALD L BRANSTETTER
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NEW MEADOWS, ID 83654
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BRUNDAGE WATER USERS ASSN INC
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NEW MEADOWS, ID 83654

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

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NAMPA, ID 83651
Phone: 208-466-8192

NEVA M BRANSTETTER
406 S ROBINSON BLVD
NAMPA, ID 83687
Phone: 208-466-8192

GEORGE A HEATH
HELEN L HEATH
920 RUTH LN
NAMPA, ID 83686
Phone: 208-466-3929

