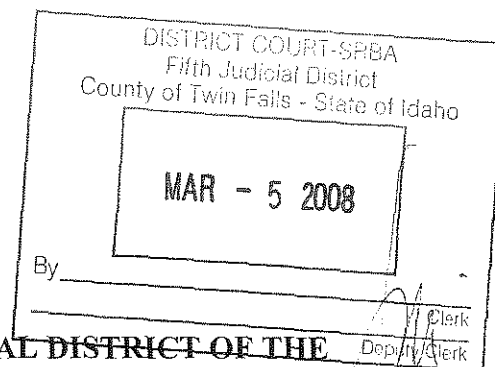


RECEIVED
MAR 06 2008
DEPARTMENT OF
WATER RESOURCES



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

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: 01-00029, *et al.*
) (See list of 10 subcases attached)
) (Burgess Canal & Irrigating Co.)
)

I.
FINDINGS AND CONCLUSIONS

1. On December 5, 2007, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
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

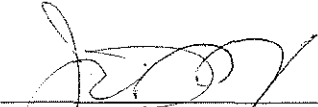
water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated 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 rights are hereby **decreed** as set forth in the attached ***Partial Decrees 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 Decrees***, and IDWR will retain the other original. The map depicting the place of use attached to the ***Partial Decrees*** 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

March 5, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A BURGESS CANAL & IRRIGATING CO

Subcase Nos:

01-00029
01-00031
01-00032
01-00033
01-00035P
01-00117P
01-00249
01-00353
01-10093
01-10418

(Subcase list: BURGESS)
12/14/07

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 01-00029

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

MAR - 5 2008

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 10.00 CFS

PRIORITY DATE: 06/10/1886

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	10.00 CFS

PLACE OF USE:

19492 ACRES TOTAL

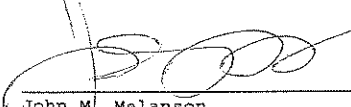
Place of use is within the area served by Burgess Canal &
Irrigating Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising the digital 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 01-00031

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

MAR - 5 2008

By _____

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 380.00 CFS

PRIORITY DATE: 06/10/1888

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	380.00 CFS

PLACE OF USE:

19492 ACRES TOTAL

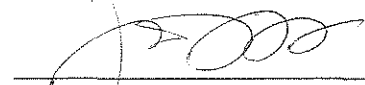
Place of use is within the area served by Burgess Canal & Irrigating Company.
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital 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

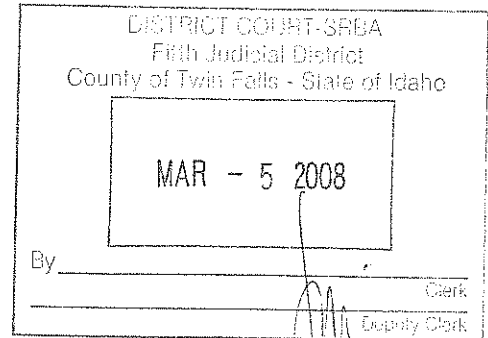
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 01-00032



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 240.00 CFS

PRIORITY DATE: 06/10/1890

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	240.00 CFS

PLACE OF USE:

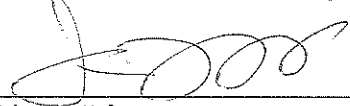
19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising 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 01-00033

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

MAR - 5 2008

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 160.00 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	160.00 CFS

PLACE OF USE:

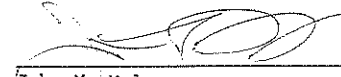
19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising 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
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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 01-00035P

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 1.167 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T03N R37E S13 NWS⁴ESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSE⁴ENW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWS⁴ENW
R40E S20 SESESW

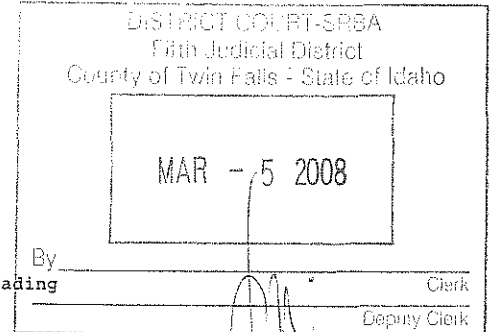
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.167 CFS

PLACE OF USE:

19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
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
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place of use described by the digital boundary.

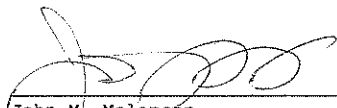
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

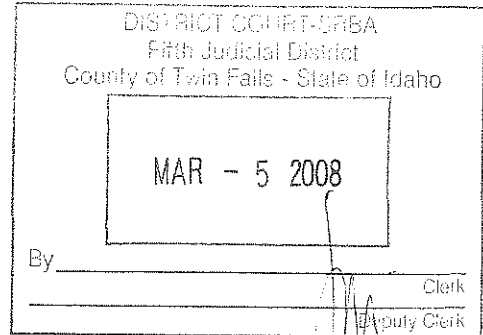


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 01-00117P



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 0.608 CFS

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.608 CFS

PLACE OF USE:

19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
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
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place of use described by the digital boundary.

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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

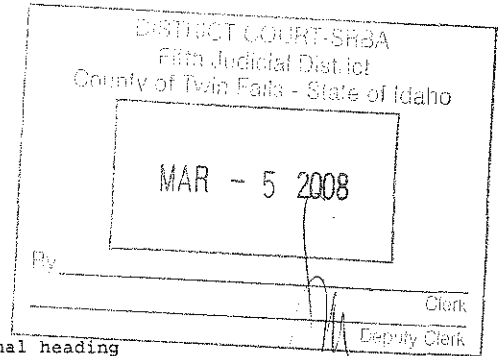
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 01-00249



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 200.00 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	200.00 CFS

PLACE OF USE:

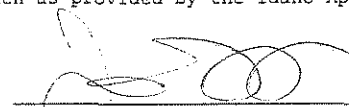
19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising 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.



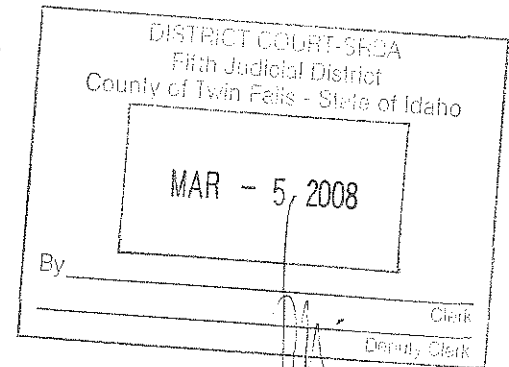
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 01-00353



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/02/1919

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	100.00 CFS

PLACE OF USE:

19492 ACRES TOTAL

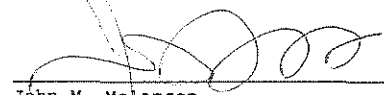
Place of use is within the area served by Burgess Canal & Irrigating Company.
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital 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

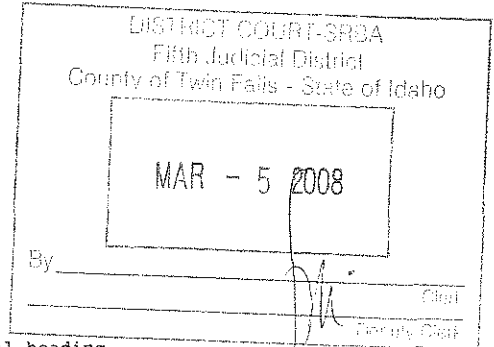
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 01-10093



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 10.798 CFS

PRIORITY DATE: 06/10/1887

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSESW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	10.798 CFS

PLACE OF USE:

19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
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

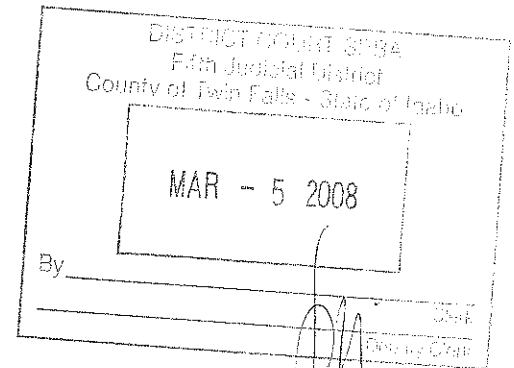
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 01-10418



NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading
located at T4N R40E S20 SESESW.

QUANTITY: 27.427 CFS

PRIORITY DATE: 06/13/1970

POINT OF DIVERSION: T03N R37E S13 NWSESW Within Bonneville County
T04N R37E S23 LOT 2 (SWSESW) Within Jefferson County
LOT 4 (SESESW)
S36 LOT 1 (NWNWNW)
LOT 2 (NESWNW)
NWSNW
R40E S20 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	27.427 CFS

PLACE OF USE:

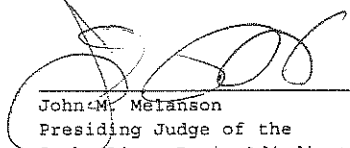
19492 ACRES TOTAL
Place of use is within the area served by Burgess Canal &
Irrigating Company.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section
42-1411(2)(h). The data comprising 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:

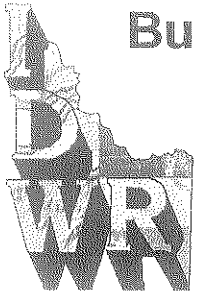
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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



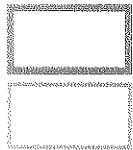
Burgess Canal & Irrigating Co

SRBA Recommendations: 1-29, 1-31, 1-32, 1-33, 1-35P, 1-117P, 1-249, 1-353, 1-10093, 1-10418

Service Area Boundary
GIS Place of Use Illustration

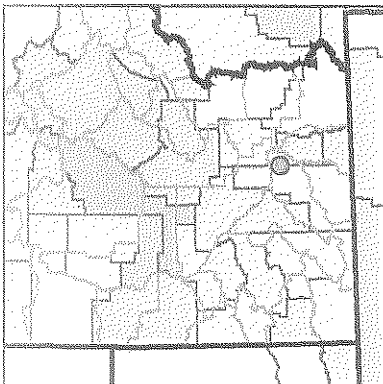
Legend

Place of Use

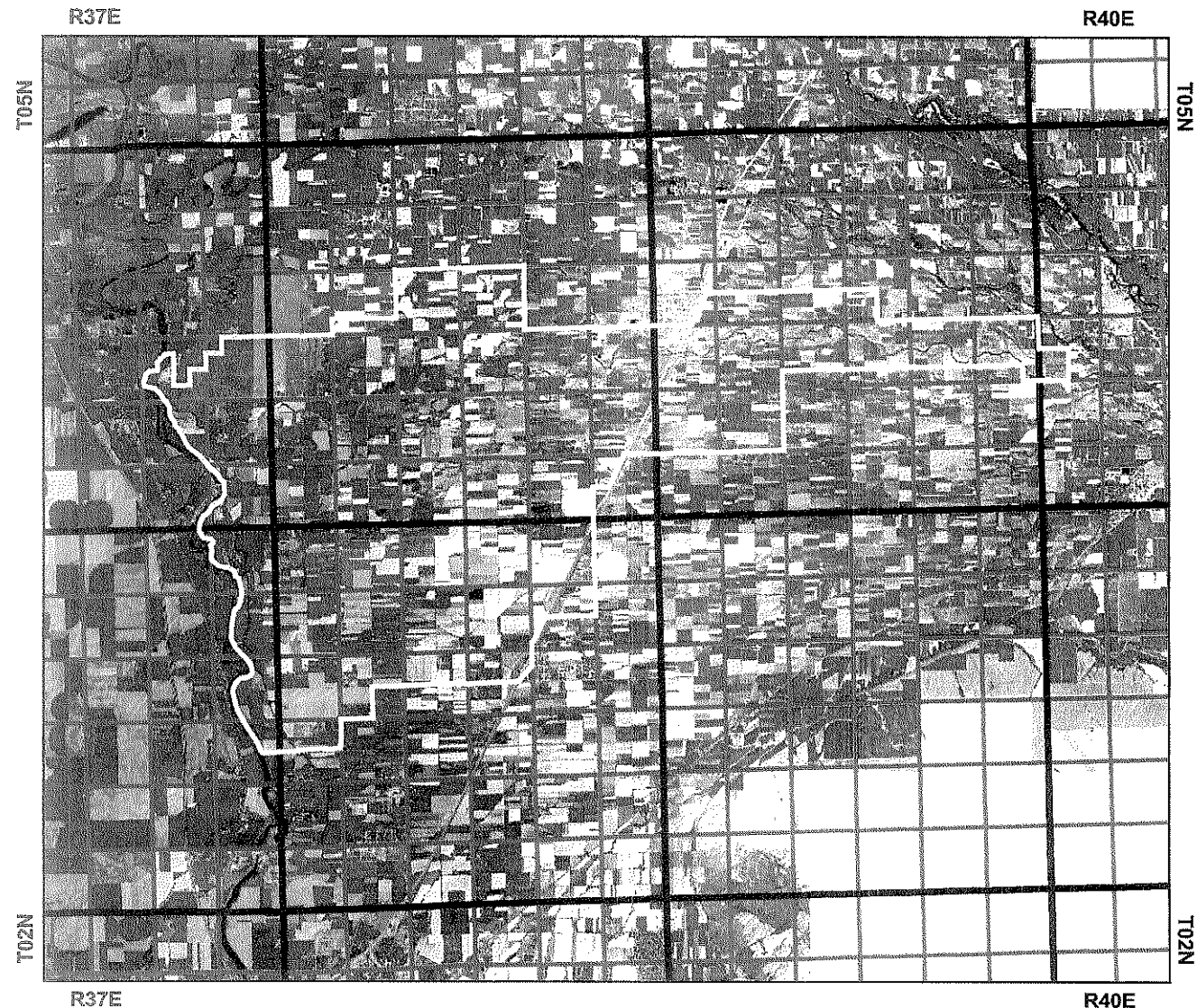


Townships

PLS Sections



Bonneville, Jefferson Counties
IDWR Basin 1



Prepared by D. Favreau
On Thursday, September 27, 2007
1987/88 Aerial Photography

DISTRICT COURT-325A
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 19 PM 1 00

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 March 05, 2008, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442
Phone: 208-745-1486

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

ORDER

Page 1 3/05/08

FILE COPY FOR 00160

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".