

**MAY 29 2009**

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

MAY 28 2009

**Clerk**

Deputy Clerk

WATER RIGHT NO.: 37-7312C

DATED: May 28, 2009..

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

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

MAY 28 2009

In Re SRBA )  
Case No. 39576 )

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

Water Right 37-07312C

By \_\_\_\_\_ Clerk  
Deputy Clerk

RECEIVED

MAY 29 2009

DEPARTMENT OF  
WATER RESOURCES

NAME AND ADDRESS: BIG WOOD RANCH LLC  
1300 DEXTER AVE #140  
SEATTLE, WA 98109

SOURCE: GROUND WATER

QUANTITY: 0.56 CFS  
98.70 AFY

The rights listed below are limited to a total combined  
diversion rate of 3.87 cfs. Combined Right Nos.: 37-537B,  
37-538B, and 37-7312C.  
This right when combined with all other rights shall provide no  
more than .02 cfs per acre nor more than 3.5 afa per acre for  
irrigation of the lands above.

PRIORITY DATE: 11/02/1973

POINT OF DIVERSION: T02N R18E S26 NWSW Within Blaine County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-15 TO 10-31 | 0.56 CFS<br>98.70 AFY |

| PLACE OF USE: | Irrigation       | Within Blaine County  |
|---------------|------------------|-----------------------|
|               | T02N R18E S26    | SWNW 7.9<br>NWSW 16.7 |
|               | 28.2 Acres Total |                       |

The rights listed below are limited to the irrigation of a  
combined total of 28.2 acres in a single irrigation season.  
Combined Right Nos.: 37-537B, 37-538B, and 37-7312C.

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.

If the surface water right(s) appurtenant to the place of use is  
sold, transferred, leased or used on any other place of use,  
this right to divert ground water shall not be used without an  
approved transfer pursuant to Section 42-222, Idaho Code, or  
approval of the Department if a transfer is not required.

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).

RECOMMENDATION

MAY 28 2009

*Dianna Lilley*  
SPECIAL MASTER

RECEIVED

MAY 29 2009

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| MAY 28 2009                                                                             |
| By _____ Clerk<br>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 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s) : 37-07312C

On May 28, 2009, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED May 28, 2009.

  
JANET CONNELL  
Deputy Clerk

RECEIVED

MAY 29 2009

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| MAY 28 2009                                                                             |                       |
| By _____                                                                                | Clerk<br>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

CERTIFICATE OF MAILING

Water Right(s): 37-07312C

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 28, 2009, with sufficient first-class postage prepaid to the following:

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

BIG WOOD RANCH LLC - Represented by:  
1300 DEXTER AVE #140 James Speck  
SEATTLE, WA 98109  
Phone: 206-972-1044

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING