

RECEIVED
NOV 10 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV - 9 2009
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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS: 37-139, 37-180,
	)	37-181, 37-231A, 37-233, 37-310A, 37-653,
	)	37-655B, 37-1187, 37-1207, 37-2597, 37-
	)	2764, AND 37-19831

I. FINDINGS OF FACT

A notice of claim was filed for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by Spring Creek Idaho Ranch LLC on November 13, 2007. The *Objections* were resolved on October 21, 2009 with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decree*.

DATED: November 9, 2009.



BRIGETTE BILYEU
Special Master
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

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

NOV - 9 2009

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 37-00139

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS:

SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE:

CRYSTAL CREEK TRIBUTARY: WILLOW CREEK

QUANTITY:

3.00 CFS

PRIORITY DATE:

06/01/1883

POINT OF DIVERSION:

T01S R18E S15 NWNESE Within Blaine County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
3.00 CFS

PLACE OF USE:

Irrigation

T01S R18E S15
S22

NESE 40.0
NENE 16.0

Within Blaine County

SESE 40.0

96.0 Acres Total

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.

RECOMMENDATION

NOV 09 2009

Bucetta Silvey
SPECIAL MASTER

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

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

NOV - 9 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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00180

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: BLACK SLOUGH TRIBUTARY: BIG WOOD RIVER
WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.80 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION: T01S R18E S15 SWNESW Within Blaine County
S22 SWSESW (Injection)
NWSWNW
NWSWNW (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.80 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S21	SENE 39.0 NWSE 6.5
	S22	S22 19.0
	S26	S26 33.0
	S27	S27 33.0
		S27 33.0
		S27 33.0
		S27 33.0
		S27 33.0
		S27 33.0
	S28	SENE 2.0
	412.5 Acres Total	

This right is limited to the irrigation of 215 acres within the place of use described above in a single irrigation season. Right Nos. 37-180 and 37-181 are limited to the irrigation of a combined total of 215 acres in a single irrigation season. This right is limited to the irrigation of 134.5 acres within the place of use described above in Sec 26, 27 & 28 in a single irrigation season. Right Nos. 37-180 and 37-181 are limited to the irrigation of a combined total of 134.5 acres in Sec 26, 27 & 28 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).

RECOMMENDATION

NOV 09 2009

Bigelle Lilley
SPECIAL MASTER

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

NOV - 9 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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00181

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: BLACK SLOUGH TRIBUTARY: BIG WOOD RIVER
WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 3.20 CFS

PRIORITY DATE: 05/15/1883

POINT OF DIVERSION: T01S R18E S15 SWNESW Within Blaine County
S22 SWSESW (Injection)
NWSWNW
NWSWNW (Rediversion)

RECEIVED
NOV 10 2009
DEPARTMENT OF
WATER RESOURCES

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S21	SENE 39.0 NWSE 6.5	NESE 16.0
S22	SWNW 19.0	
S26	SWNW 33.0	NWSW 33.0
S27	SWNE 33.0 SWNW 33.0 NESW 33.0 NESE 33.0	SENE 33.0 SENW 33.0 NWSW 33.0 NWSE 33.0
S28	SENE 2.0	
412.5 Acres Total		

This right is limited to the irrigation of 215 acres within the place of use described above in a single irrigation season. Right Nos. 37-180 and 37-181 are limited to the irrigation of a combined total of 215 acres in a single irrigation season. This right is limited to the irrigation of 134.5 acres within the place of use described above in Sec 26, 27 & 28 in a single irrigation season. Right Nos. 37-180 and 37-181 are limited to the irrigation of a combined total of 134.5 acres in Sec 26, 27 & 28 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).

RECOMMENDATION

NOV 09 2009

Digetto Silvey
SPECIAL MASTER

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

NOV - 9 2009

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00231A

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: BLACK SLOUGH TRIBUTARY: BIG WOOD RIVER
WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/15/1883

POINT OF DIVERSION: T01S R18E S15 SWNESW Within Blaine County
S22 SWSESW (Injection)
NWSWNW (Rediversion)
NWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.00 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S15	SWSW 15.0	SWSE 15.0
S26	SWNW 33.0	NWSW 33.0
S27	SWNE 33.0	SENE 33.0
	SWNW 33.0	SENE 33.0
	NESW 33.0	NWSW 33.0
	NESE 33.0	NWSE 33.0
S28	SENE 2.0	
362.0 Acres Total		

Right Nos. 37-231A and 37-233 are limited to the irrigation of 115 acres in Sec 26 and 27 and a combined total of 145 acres in a single irrigation season.
This right is limited to the irrigation of 115 acres in Sec 26 and 27 and a total of 145 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).

RECOMMENDATION

NOV 09 2009

Bigella Silvey
SPECIAL MASTER

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
Case No. 39576)
) I.R.C.P. 54(b) FOR
)
) Water Right 37-00233

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

NOV - 9 2009

By _____ Clerk

Deputy Clerk

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: BLACK SLOUGH TRIBUTARY: BIG WOOD RIVER
WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.60 CFS

PRIORITY DATE: 05/15/1888

POINT OF DIVERSION: T01S R18E S15 SWNESW Within Blaine County
S22 SWSSEW (Injection)
NWSWNW (Rediversion)
NWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.60 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S15	SWSW 15.0	SWSE 15.0
S26	SWNW 33.0	NWSW 33.0
S27	SWNE 33.0	SENE 33.0
	SWNW 33.0	SENE 33.0
	NESW 33.0	NWSW 33.0
	NESE 33.0	NWSE 33.0
S28	SENE 2.0	
362.0 Acres Total		

This right is limited to the irrigation of 115 acres in Sec 26 and 27 and a total of 145 acres within the place of use described above in a single irrigation season.
Right Nos. 37-231A and 37-233 are limited to the irrigation of 115 acres in Sec 26 and 27 and a combined total of 145 acres 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).

RECOMMENDATION

NOV 09 2009

Biggott Biggott
SPECIAL MASTER

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 37-00310A

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

NOV - 9 2009

By _____ Clerk
Deputy Clerk

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.34 CFS

To mitigate for injury to other water users caused by the
diversion and use of water under this right, a river loss of 15%
is assessed, the watermaster shall only deliver 0.34 cfs of this
right at the point of diversion leaving 0.06 cfs in the river.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T01S R18E S22 NWSWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.34 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S26	NWSW 33.0
	S27	SWNE 33.0
		SENE 33.0
		SWNW 33.0
		SENE 33.0
		NESW 33.0
		NWSW 33.0
		NWSE 33.0
	S28	SENE 2.0
	332.0 Acres Total	

This right is limited to the irrigation of 68 acres within the
place of use described above in a single irrigation season.
Right Nos. 37-310A and 37-19831 are limited to the irrigation of
a combined total of 68 acres 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.

RECOMMENDATION

NOV 09 2009

Bipette Lilley
SPECIAL MASTER

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 37-00653

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV - 9 2009
By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: UNNAMED STREAM TRIBUTARY: WILLOW CREEK

QUANTITY: 0.50 CFS

PRIORITY DATE: 05/15/1881

POINT OF DIVERSION: T01S R18E S23 SENWNE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 04-15 TO 10-31	QUANTITY 0.50 CFS
-------------------------------	------------------------------	---------------------------------	----------------------

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S14	SESW 1.8
	S23	NENE 3.1
		NENW 35.0
		SWSE 2.6
		NWNE 32.0
		NWNW 22.0
	96.5 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 96.5 acres in a single irrigation season.
Combined Right Nos.: 37-655B, 37-21476 & 37-653.

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

RECOMMENDATION
NOV 09 2009
<i>Brigette Lilley</i>
SPECIAL MASTER

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 37-00655B

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

NOV - 9 2009

By _____ Clerk
Deputy Clerk

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.536 CFS

PRIORITY DATE: 07/01/1888

POINT OF DIVERSION: T01S R18E S13 SWSW Within Blaine County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 0.536 CFS

PLACE OF USE: Irrigation Within Blaine County

T01S R18E S14	SESW 1.8	SWSE 2.6
S23	NENE 1.2	NWNE 19.0
	NENW 35.0	NWNW 22.0
81.6 Acres Total		

Right Nos. 37-655B and 37-21476 are limited to the irrigation of
a combined total of 81.6 acres in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 96.5 acres in a single irrigation season.
Combined Right Nos.: 37-655B, 37-21476 & 37-653.

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.

RECOMMENDATION

NOV 09 2009

Bigette Silbey
SPECIAL MASTER

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 37-01187

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV - 9 2009
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: CRYSTAL CREEK TRIBUTARY: WILLOW CREEK

QUANTITY: 1.60 CFS

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION: T01S R18E S15 NESWSE Within Blaine County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.60 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S22	NWNE 27.0
	65.0 Acres Total	NENW 38.0

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

RECOMMENDATION
NOV 09 2009
<i>Bigette Lilley</i> SPECIAL MASTER

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

NOV - 9 2009

By _____ Clerk

Deputy Clerk

NOV - 9 2009

RECEIVED

NOV 10 2009

PAGE 1
Nov-04-2009

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 37-02597

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

NOV - 9 2009

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 1.36 CFS
357.00 AFY

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 07/09/1957

POINT OF DIVERSION: T01S R18E S15 NENESE Within Blaine County
NENESE
SENESE
SESWSSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.36 CFS
			357.00 AFY
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S15	NESE 32.0 NWSE 5.1 SWSE 28.0 SESE 39.0 NENE 15.0 NWNE 25.0 NENW 26.0 SENW 5.0
	S22	
	175.1 Acres Total	

Domestic	Within Blaine County
T01S R18E S15	SWSE

This right is limited to the irrigation of 102 acres within the
place of use described above in a single irrigation season.
Right Nos. 37-2597 and 37-2764 are limited to the irrigation of
a combined total of 175.1 acres in a single irrigation season.

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

The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.

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

NOV 09 2009

Bigello Silvey
SPECIAL MASTER

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

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

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

NOV - 9 2009

By _____ Clerk
Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-02764

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 1.98 CFS
501.00 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day. Right Nos. 37-2597 and 37-2764 are limited to a total combined annual diversion volume of 576 AF.

PRIORITY DATE: 11/19/1963

POINT OF DIVERSION: T01S R18E S15 NENESE Within Blaine County
NENESE
SENESE
SESWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	1.98 CFS
			501.00 AFY
	Domestic	01-01 TO 12-31	0.04 CFS

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S15	NESE 32.0 NWSE 5.1 SWSE 28.0 SESE 39.0
	S22	NENE 15.0 NWNE 25.0 SENE 5.0
	175.1 Acres Total	
	Domestic	Within Blaine County
	T01S R18E S15	SWSE

This right is limited to the irrigation of 167 acres within the place of use described above in a single irrigation season. Right Nos. 37-2597 and 37-2764 are limited to the irrigation of a combined total of 175.1 acres in a single irrigation season.

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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

RECOMMENDATION

NOV 09 2009

Biggie Silvey
SPECIAL MASTER

PAGE 1

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

OTHER PROVISIONS (continued)

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 37-19831

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV - 9 2009
By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: SPRING CREEK IDAHO RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: WILLOW CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.02 CFS

To mitigate for injury to other water users caused by the
diversion and use of water under this right, a river loss of 15%
is assessed, the watermaster shall only deliver 1.02 cfs of this
right at the point of diversion leaving 0.18 cfs in the river.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T01S R18E S22 NWSWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	.04-15 TO 10-31	1.02 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S26	SWNW 33.0 NWSW 33.0
	S27	SWNE 33.0 SENE 33.0
		SWNW 33.0 SENW 33.0
		NESW 33.0 NWSW 33.0
		NESE 33.0 NWSE 33.0
	S28	SENE 2.0
	332.0 Acres Total	

This right is limited to the irrigation of 68 acres within the
place of use described above in a single irrigation season.
Right Nos. 37-310A and 37-19831 are limited to the irrigation of
a combined total of 68 acres 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.

RECOMMENDATION
NOV 09 2009
<i>Lipette Lilacy</i> SPECIAL MASTER

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

Exhibit A

Subcase Nos:

37-00139
37-00180
37-00181
37-00231A
37-00233
37-00310A
37-00653
37-00655B
37-01187
37-01207
37-02597
37-02764
37-19831

RECEIVED

NOV 10 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 9 2009	
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

)

CERTIFICATE OF MAILING

Case No. 39576

)

)

Water Right(s): 37-00139
(SEE ATTACHED EXHIBIT A)

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 November 09, 2009, with sufficient first-class postage prepaid to the following:

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

CERTIFICATE OF MAILING

PAGE 1
11/09/09

BIG WOOD CANAL COMPANY

Represented by:

CRAIG D. HOBDEY

125 5TH AVE

PO BOX 176

GOODING, ID 83330

Phone: 208-934-4429

SPRING CREEK IDAHO RANCH LLC

Represented by:

EDWARD A LAWSON

LAWSON LASKI CLARK POGUE PLLC

675 SUN VALLEY RD STE A

PO BOX 3310

KETCHUM, ID 83340

Phone: 208-725-0055



JANET CONNELL

Deputy Clerk

Exhibit A

Subcase Nos:

37-00139
37-00180
37-00181
37-00231A
37-00233
37-00310A
37-00653
37-00655B
37-01187
37-01207
37-02597
37-02764
37-19831