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DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

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

DEC 30 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

Case No. 39576

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NOS.: 37-2211,
) 37-20556, 37-20557, 37-20558, 37-20559,
) 37-20561, 37-20562, 37-20563, 37-20564,
) 37-20565, 37-20566, 37-20567, 37-20568,
) and 37-20569

I. FINDINGS OF FACT

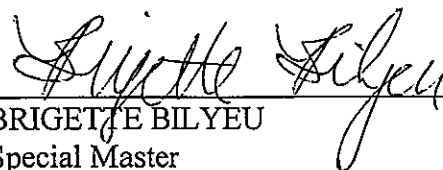
Claims were filed for the above listed water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

No objections were filed in the above listed water rights. These water rights, however, are used in combination with water right 37-11989 which was the subject of an *Objection*. The *Objection* was resolved on September 16, 2009 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*. There are no unresolved objections remaining.

II. CONCLUSIONS OF LAW

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 Decrees*.

DATED: Dec. 30, 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

DEC 30 2009

In Re SRBA)
Case No. 39576)

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

Water Right 37-02211

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Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 1.70 CFS

Right Nos. 37-2211 and 37-11989 are limited to a total combined
diversion rate of 1.70 cfs.

PRIORITY DATE: 05/09/1911

POINT OF DIVERSION: T02S R17E S11 NESESE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.70 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02S R17E S01	SWNW 9.0 NWSW 34.0 SWSW 39.0
	S02	SENE 0.4 SESW 30.0 NWSE 3.1 SESE 40.0
	S11	NENE 40.0 SWNE 28.0 NENW 34.0 NESE 20.0 SWSE 19.0
	S12	SWNE 20.0 NWNW 40.0 SENW 38.0 NWSW 40.0 SESW 11.0
		Within Blaine County
		NENW 19.0 SWSW 28.0 NWSW 40.0 NESW 38.0 NENE 34.0 SENE 33.0 SESE 27.0
		Within Camas County
		SWSW 1.5 NESE 33.0 SWSE 37.0
		787.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 787 acres in a single irrigation season.
Combined Right Nos.: 37-2211, 37-11989, 37-20556, 37-20563, &
37-20568.

This right is limited to the irrigation of 85 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

DEC 30 2009

Diagette 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.

Eric J. Wildman
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

DEC 30 2009

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-20556

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: GROUND WATER

QUANTITY: 9.31 CFS
2304.90 AFY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R17E S01 SWNW Within Blaine County
S11 SWSE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	9.31 CFS 2304.90 AFY

The use of water for irrigation described under this right may
begin as early as 4/15 and may continue to as late as 10/31
provided that other elements of the right are not exceeded.
The use of water before 5/1 and after 10/1 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
	T02S R17E S01	NWSW 34.0
		SWSW 39.0
	S02	SENE 0.4 SESW 30.0 NWSE 3.1 SESE 40.0
	S11	NENE 40.0 SWNE 28.0 NENW 34.0 NESE 20.0 SWSE 19.0
	S12	SWNE 20.0 NWNW 40.0 SENW 38.0 NWSW 40.0 SESW 11.0
		Within Camas County
		SWSW 1.5 NESE 33.0 SWSE 37.0
		Within Blaine County
		NENW 19.0 SWNW 40.0 NESW 38.0 SWSW 28.0 NWSE 24.0
	787.0 Acres Total	

This right authorizes the irrigation of 768.3 total acres.
The rights listed below are limited to the irrigation of a
combined total of 787 acres in a single irrigation season.
Combined Right Nos.: 37-2211, 37-11989, 37-20556, 37-20568.

RECOMMENDATION

DEC 30 2009

Bigette Silvey
SPECIAL MASTER

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

PLACE OF USE (continued)

This right, when used in combination with a supplemental water supply, may be used to irrigate 768.3 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).

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DEC 30 2009

By _____ Clerk

Deputy Clerk

DEC 30 2009

Bucetto Lilyan
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 30 2009

By _____ Clerk
_____ Deputy Clerk

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 37-20558

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS
3.00 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R16E S16 SENW Within Camas County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS
			3.00 AFY

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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 Camas County
	T02S R16E S16	SWNW 0.5 SENW 0.5
	1.0 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

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RECOMMENDATION

DEC 30 2009

Brigette Lilley
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

STRICT OF THE
TWIN FALLS

DEC 30 2009

By _____ Clerk
_____ Deputy Clerk

By _____ Clerk
 _____ Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

Groundwater is developed by excavated pond into groundwater surface.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS
			1.50 AFY

PLACE OF USE: Irrigation Within Camas County
 T01S R15E S33 NENE 0.5
 0.5 Acres Total

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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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.

Eric J. Wildman
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 37-20561

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho DEC 30 2009 By _____ Clerk Deputy Clerk
--

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS
3.00 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T01S R15E S33 SENE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS 3.00 AFY

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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 Camas County
T01S R15E S33 SENE 1.0
1.0 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

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RECOMMENDATION DEC 30 2009 <i>Ligette Silvey</i> SPECIAL MASTER
--

Eric J. Wildman
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 37-20562

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 30 2009
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: GROUND WATER

Groundwater is developed by excavated pond into groundwater surface.

QUANTITY: 0.03 CFS
1.50 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T01S R15E S27 SESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS 1.50 AFY

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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 Camas County
T01S R15E S27 SESW 0.5
0.5 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).

RECOMMENDATION
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<i>Ligette Silvers</i> SPECIAL MASTER

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DEPARTMENT OF
WATER RESOURCES

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DEC 30 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-20563

Clerk
Deputy Clerk

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: GROUND WATER

QUANTITY: 0.19 CFS
47.10 AFY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R17E S01 SWNW Within Blaine County
S11 SWSE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.19 CFS 47.10 AFY

The use of water for irrigation described under this right may
begin as early as 4/15 and may continue to as late as 10/31
provided that other elements of the right are not exceeded.
The use of water before 5/1 and after 10/1 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
	T02S R17E S01	SWNW 9.0 SWSW 39.0	NWSW 34.0
	S02	SENE 0.4 SESW 30.0 NWSE 3.1 SESE 40.0	SWSW 1.5 NESE 33.0 SWSE 37.0
	S11	NENE 40.0 SWNE 28.0 NENW 34.0 NESE 20.0 SWSE 19.0	NWNE 34.0 SENE 33.0 SENW 15.0 NWSE 12.0 SESE 27.0
	S12	SWNE 20.0 NWNW 40.0 SENW 38.0 NWSW 40.0 SESW 11.0	Within Blaine County NENW 19.0 SWNW 40.0 NESW 38.0 SWSW 28.0 NWSE 24.0
	787.0 Acres Total		

This right authorizes the irrigation of 15.7 total acres.
The rights listed below are limited to the irrigation of a
combined total of 787 acres in a single irrigation season.
Combined Right Nos.: 37-2211, 37-11989, 37-20556, 37-20563, &
37-20568.

RECOMMENDATION
DEC 30 2009
Bijette Bilbey
SPECIAL MASTER

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

PLACE OF USE (continued)

This right, when used in combination with a supplemental water supply, may be used to irrigate 15.7 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).

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DEC 30 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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-20564

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: ALLEN WILLIAMS
PO BOX 1753
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
9.00 AFY

This right when combined with all other rights shall provide no
more than 0.03 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R17E S02 SENWSE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.04 CFS 9.00 AFY

The use of water for irrigation described under this right may
begin as early as 4/15 and may continue to as late as 10/31
provided that other elements of the right are not exceeded.
The use of water before 5/1 and after 10/1 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 Camas County
T02S R17E S02 NWSE 3.0
3.0 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
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RECOMMENDATION

DEC 30 2009

Bigelle Silvey
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 30 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 37-20565

NAME AND ADDRESS: MICHAEL LLOYD
Tia Lloyd
PO BOX 4
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R17E S01 SWNW Within Blaine County
S11' SWSE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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 Camas County
T02S R17E S02 SWSE 2.0
2.0 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).

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RECOMMENDATION

DEC 30 2009

Bridgette Lilley
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 30 2009

By _____ Clerk
_____ Deputy Clerk

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DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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.

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).

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

DEC 30 2009

Brigitte Lilyer
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DEC 30 2009

By _____ Clerk
 _____ Deputy Clerk

PAGE 1
Dec-28-2009

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

DEC 30 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 37-20568

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
 C/O GREGORY VIK
 PO BOX 1607
 BELLEVUE, WA 98009

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
 9.00 APY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION:	T02S R17E S01	SWNW	Within Blaine County
	S11	SWSE	Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.04 CFS 9.00 APY

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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
	T02S R17E S01	NWSW 34.0
		SWNW 9.0
		SWSW 39.0
	S02	SENE 0.4
		SESW 30.0
		NWSE 3.1
		SESE 40.0
	S11	NENE 40.0
		SWNE 28.0
		NENW 34.0
		NESE 20.0
		SWSE 19.0
	S12	SWNE 20.0
		NWNW 40.0
		SENE 38.0
		NWSW 40.0
		SESW 11.0

RECOMMENDATION

DEC 30 2009

Bigetto Silvey
 SPECIAL MASTER

787.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 787 acres in a single irrigation season. Combined Right Nos.: 37-2211, 37-11989, 37-20556, 37-20563, & 37-20568. This right authorizes the irrigation of 3.0 total acres.

PLACE OF USE (continued)

This right, when used in combination with a supplemental water supply, may be used to irrigate 3.0 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).

RULE 54(b) CERTIFICATE

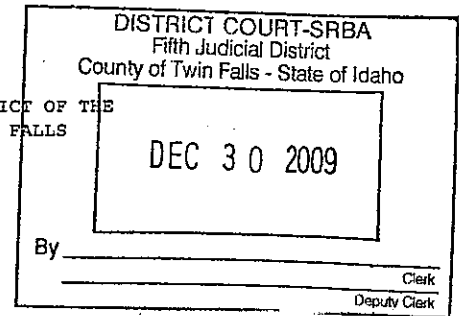
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

Eric J. Wildman
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 37-20569



NAME AND ADDRESS: MELISSA GERARD
SHON GERARD
1040 CHERRY HILL DR
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.03 CFS
6.00 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/30/1974

POINT OF DIVERSION: T02S R17E S02 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.03 CFS 6.00 AFY

The use of water for irrigation described under this right may begin as early as 4/15 and may continue to as late as 10/31 provided that other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 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.

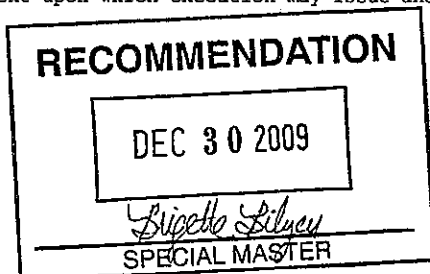
PLACE OF USE: Irrigation Within Camas County
T02S R17E S02 SESW 2.0
2.0 Acres Total

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.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 30 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)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 37-02211
(SEE ATTACHED EXHIBIT A)

On December 30, 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 December 30, 2009.

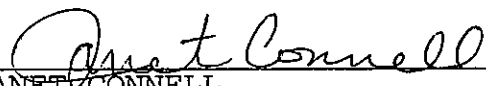

JANET CONNELL
Deputy Clerk

Exhibit A

Subcase Nos:

37-02211
37-20556
37-20557
37-20558
37-20559
37-20561
37-20562
37-20563
37-20564
37-20565
37-20566
37-20567
37-20568
37-20569

RECEIVED

DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 30 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): 37-02211

(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 December 30, 2009, with sufficient first-class postage prepaid to the following:

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

BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009
Phone: 425-688-9304

SOUTHERN IDAHO SOLID WASTE
PO BOX 159
BURLEY, ID 83318
Phone: 208-432-9082

ALLEN WILLIAMS
PO BOX 1753
HAILEY, ID 83333
Phone: 208-720-2868

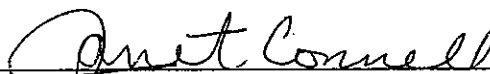
CERTIFICATE OF MAILING

PAGE 1
12/30/09

MICHAEL LLOYD
TIA LLOYD
PO BOX 4
BELLEVUE, ID 83313

COUNTY OF CAMAS
PO BOX 430
FAIRFIELD, ID 83327
Phone: 208-764-2242

MELISSA GERARD
SHON GERARD
1040 CHERRY HILL DR
HAILEY, ID 83333
Phone: 208-450-9411



JANET CONNELL
Deputy Clerk

Exhibit A

Subcase Nos:

37-02211
37-20556
37-20557
37-20558
37-20559
37-20561
37-20562
37-20563
37-20564
37-20565
37-20566
37-20567
37-20568
37-20569