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AUG 23 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 20 2010	
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	)	Subcase 73-42, 73-157, 73-158, 73-2102 and
	)	73-2155
	)	(Big Creek Ranch LLC)
Case No. 39576	)	
_____	)	SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 73* on January 25, 2007. The Director recommended the claims to Sulphur Creek Livestock for between 2.4 cfs and 10 cfs from Patterson Creek, Pahsimeroi River and Big Creek for year-'round stockwater use and to irrigate 432.3 acres in Custer and Lemhi Counties from April 1 to October 31 with priority dates between February 20, 1886, and February 27, 1963, based on a decree or licenses.

IDWR filed a *Notice of Completed Administrative Proceeding* on August 20, 2007, for a substitution of party with Old Corrals & Sagebrush LLLP the new owner of the above five claims. Old Corrals and Sagebrush filed an *Objection* in subcase 73-42 on December 17, 2007, objecting to source, quantity, purpose of use and period of year. IDWR identified 73-157, 73-158, 73-2102 and 73-2155 as overlapping uncontested claims. IDWR filed a second *NCAP* on October 2, 2009, for substitution of party with the following new owners of the five claims: Old Corrals & Sagebrush, Normco LLC, Rio B LLC, Rio Claro, Inc., Charlesview LLC and HWHL LLC. On April 26, 2010, IDWR filed a third *NCAP* for a substitution of party with the new owner of the five claims Big Creek Ranch LLLC, 280 Cranbrook Road, Hailey, Idaho, 83333.

SCANNED

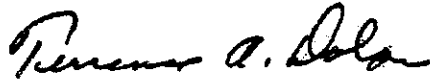
AUG 20 2010

On August 12, 2010, Big Creek Ranch filed a *Notice of Voluntary Withdrawal of Objection* in subcase 73-42.

Conclusions of Law

Big Creek Ranch LLC is entitled to partial decrees adjudicating water rights as described in the April 26, 2010 *NCAP* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 73-42, 73-157, 73-158, 73-2102 and 73-2155*.

DATED August 20, 2010.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

SCANNED

AUG 20 2010

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

AUG 20 2010

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

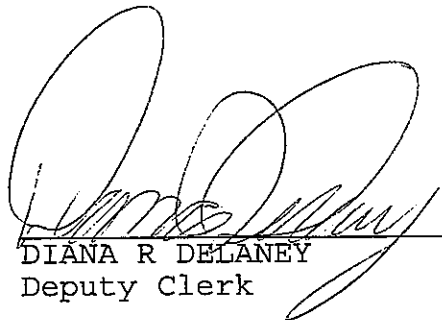
Water Right(s): 73-00042
73-00157 73-00158 73-02102
73-02155

On August 20, 2010, Special Master TERRENCE A. DOLAN 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 August 20, 2010.


DIANA R DELANEY
Deputy Clerk

SCANNED

AUG 20 2010

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 73-00042

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 10.00 CFS

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

PRIORITY DATE: 02/20/1886

POINT OF DIVERSION: T14N R22E S16 NESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	10.00 CFS
	Stockwater	01-01 TO 12-31	0.23 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T14N R22E S16	SWNW 3.6	NWSW 17.0
		SWSW 1.1	
	S17	NWNE 34.0	SWNE 33.0
		SENE 31.0	NENW 29.0
			Within Custer County
		NWNW 32.0	SWNW 36.0
		SENE 36.0	NESW 24.0
		NWSW 2.2	SESW 0.4
			Within Lemhi County
		NESE 35.0	
			Within Custer County
		NWSE 35.0	SWSE 14.0
		SESE 17.0	
	S18	NENE 35.0	SENE 17.0
	432.3 Acres Total		
	Stockwater		Within Lemhi County
	T14N R22E S16	NWSW	
			Within Custer County
	S17	SWNW	NESW
		NWSW	SWSE
		SESE	
	S18	SWNE	

Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are
limited to the irrigation of a combined total of 432.3 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
stockwater 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

SCANNED

RECOMMENDATION

AUG 20 2010

SPECIAL MASTER PAGE 1

Aug-12-2010

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 73-00157

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 4.40 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S27 SENW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.40 CFS

PLACE OF USE:	Irrigation		Within Custer County
	T14N R22E S17	SWNE 4.9	Within Lemhi County
		NENW 5.6	Within Custer County
		NWNW 31.0	SWNW 36.0
		SENE 35.0	NESW 24.0
		NWSW 2.2	SESW 0.4
			Within Lemhi County
		NESE 5.2	Within Custer County
		NWSE 29.0	SWSE 14.0
		SESE 16.0	
	S18	NENE 35.0	SENE 17.0
	255.3 Acres Total		

Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

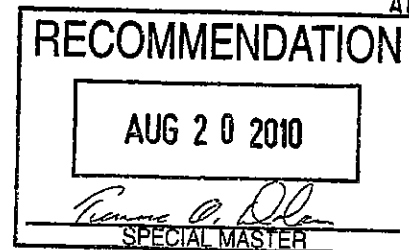
Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

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).

SCANNED

AUG 20 2010



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 73-00158

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 5.00 CFS

The appropriator is entitled to the quantity of water described above at the point of measurement in T14N, R22E, S26, SWSW. Water under this right shall only be delivered when there is insufficient water in the Pahsimeroi River and Patterson Creek (Spring Creek) to deliver 14.4 cfs using water rights 73-42 and 73-157, and then only to the extent of supplying 14.4 cfs.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T13N R23E S12 NWSW Within Custer County
T14N R22E S27 NWSE (Injection) Within Lemhi County
SENW (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.00 CFS

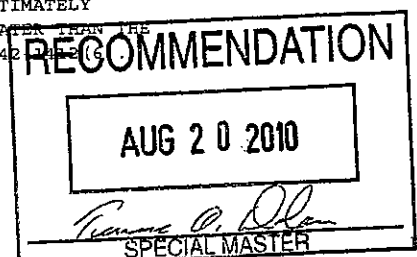
PLACE OF USE:	Irrigation	Within Custer County
T14N R22E S17	SWNE 4.9	Within Lemhi County
	NENW 5.6	Within Custer County
	NWNW 31.0	SWNW 36.0
	SENW 35.0	NESW 24.0
	NWSW 2.2	SESW 0.4
		Within Lemhi County
	NESE 5.2	Within Custer County
	NWSE 29.0	SWSE 14.0
	SESE 16.0	
S18	NENE 35.0	SENE 17.0
255.3 Acres Total		

Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 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 42-2412



In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-02102

PAGE 1
Aug-12-2010

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 73-02155

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 6.40 CFS

PRIORITY DATE: 02/27/1963

POINT OF DIVERSION: T14N R22E S27 SENW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.40 CFS

PLACE OF USE:	Irrigation		Within Custer County
	T14N R22E S17	SWNE 4.9	Within Lemhi County
		NENW 5.6	Within Custer County
		NWNW 31.0	SWNW 36.0
		SENE 35.0	NESW 24.0
		NWSW 2.2	SESW 0.4
			Within Lemhi County
		NESE 5.2	Within Custer County
		NWSE 29.0	SWSE 14.0
		SESE 16.0	
	S18	NENE 35.0	SENE 17.0
	255.3 Acres Total		

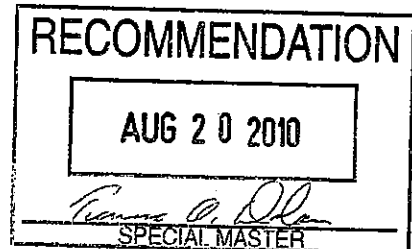
Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.
Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

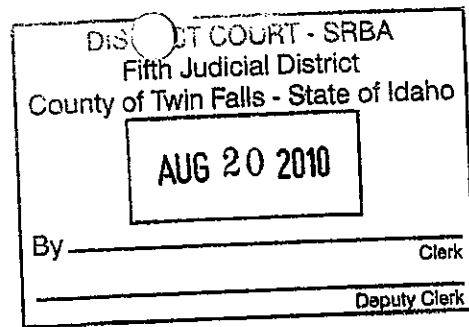
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

SCANNED

AUG 20 2010





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

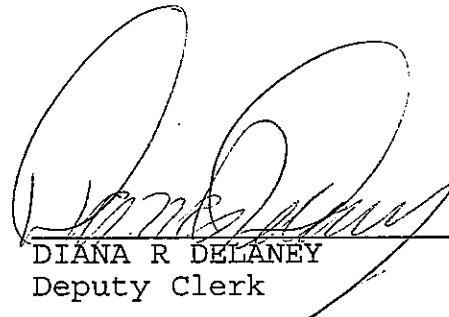
Water Right(s): 73-00042
73-00157 73-00158 73-02102
73-02155

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 August 20, 2010, with sufficient first-class postage prepaid to the following:

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

BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333


DIANA R DELANEY
Deputy Clerk

SCANNED

AUG 20 2010

CERTIFICATE OF MAILING

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08/20/10