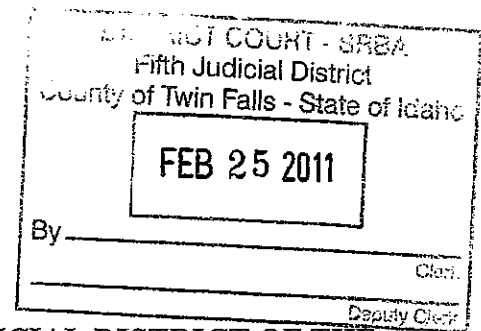


RECEIVED
FEB 28 2011
DEPARTMENT OF
WATER RESOURCES



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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 37-00894B
) (formerly 37-00892A)
)
) RECOMMENDATION OF
) DISALLOWANCE FOR 37-04269

I. FINDINGS OF FACT

A notice of claim was filed for water right 37-00892A pursuant to I.C. § 42-1409. Water right 37-00892A was subsequently renumbered to 37-00894B. A claim was also filed for 37-04269. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of water right 37-00892A. The *Director's Report* recommended that 34-04269 be disallowed.

On February 26, 2010, IDWR filed an *Amended Director's Report* for 37-00894B. The claimant of the right, Big Wood Golf Course, LLC, filed an objection to the Amended Director's Report. Water right claim 37-04269 was identified as an uncontested claim that may be affected by the outcome of contested claim 37-00894B. On November 26, 2010, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* for claim 37-00894B which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 37-00894B be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*. The clerk of the

court is instructed to close the file for 37-00892A. IT IS FURTHER RECOMMENDED that the court enter a final order disallowing 37-04269 with prejudice.

Dated Feb 25, 2011

A handwritten signature in black ink, appearing to read 'T.R. Booth', written over a horizontal line.

Theodore R. Booth
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576.)
)
) Water Right 37-00894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY, ID 83353

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.18 CFS
349.90 AFY

Right Nos. 37-158C, 37-276B and 37-894B are limited to a total
combined annual diversion volume of 349.9 AF.
Storage capacity 49.9 AF.

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to
all other rights that did not result from developed/saved water
in the Big Wood River, as established by and subject to the
provisions included within In Re Upper Big Wood River Water Users
Assn, et. al., plaintiff vs. S.H. Chapman, Watermaster,
defendant in the District Court of Lincoln County dated
8/28/1922.

POINT OF DIVERSION: T04N R17E S01 NENWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	04-15 TO 10-31	31.80 AFY
	Irrigation from Storage	04-15 TO 10-31	300.00 AFY
	Aesthetic Storage	01-01 TO 12-31	49.90 AFY
	Recreation Storage	01-01 TO 12-31	49.90 AFY
	Diversion to Storage	04-15 TO 10-31	3.18 CFS

PLACE OF USE: Irrigation Storage Within Blaine County
T04N R17E S01 SESE

Irrigation from Storage Within Blaine County
T04N R17E S01 NESE 1.0 SESE 19.0
S12 NENE 17.0 SESE 13.0
NESE 11.0 SESE 9.0
R18E S06 LOT 7 (SWSW) 0.7
S07 LOT 3 (NWSW) 4.0 LOT 4 (SWSW) 11.0
85.7 Acres Total

Recreation Storage Within Blaine County
T04N R17E S01 SESE
S12 NENE SENE
NESE SESE
R18E S06 LOT 7 (SWSW)
S07 LOT 2 (SNNW)

Aesthetic Storage Within Blaine County
T04N R17E S01 SESE
S12 NENE SENE
NESE SESE
R18E S06 LOT 7 (SWSW)
S07 LOT 2 (SNNW)

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

PLACE OF USE (continued)

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-158C, 37-274, 37-276B and 37-894B.

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

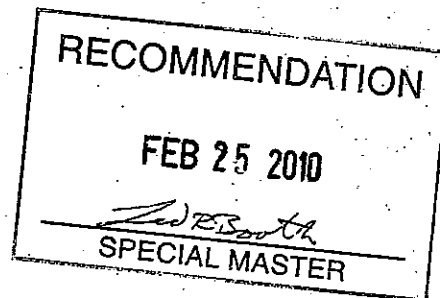
Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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



DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 25 2011	
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): 37-00894B

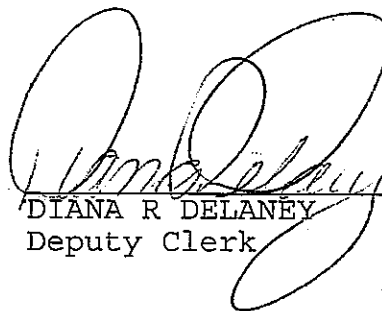
37-04269

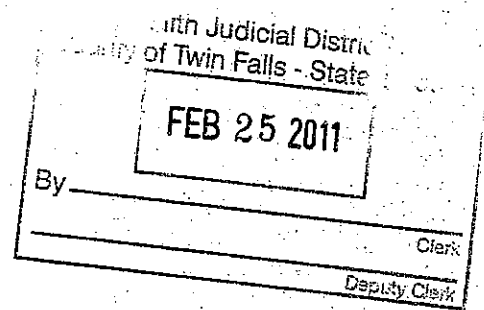
On February 25, 2011, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 February 25, 2011.


DIANA R DELANEY
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): 37-00894B
37-04269

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 February 25, 2011, with sufficient first-class postage prepaid to the following:

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

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

PAGE 1
02/25/11

BIG WOOD CANAL COMPANY

Represented by:

CRAIG D. HOBDEY

125 5TH AVE

PO BOX 176

GOODING, ID 83330

Phone: 208-934-4429

BIG WOOD GOLF COURSE LLC

Represented by:

HAEMMERLE, FRITZ X.

PO BOX 1800

HAILEY, ID 83333

Phone: 208-578-0520

BIGWOOD PROPERTY OWNERS

Represented by:

JAMES P. SPECK

SPECK & AANESTAD

120 EAST AVENUE

PO BOX 987

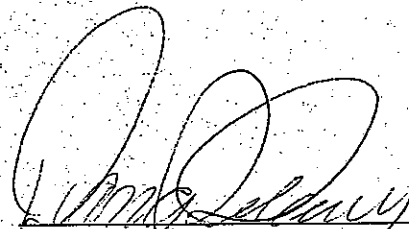
KETCHUM, ID 83340

Phone: 208-726-4421

BIG WOOD GOLF COURSE

PO BOX 87

SUN VALLEY, ID 83353



DIANA R. DELANEY

Deputy Clerk