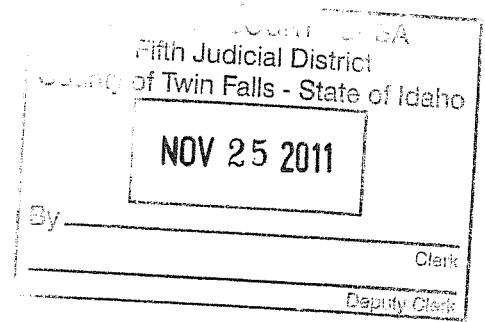


RECEIVED  
NOV 28 2011  
DEPARTMENT OF  
WATER RESOURCES



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     | ) | Subcases:                        |
|                | ) | 73-13 (73-12181 & 73-12182)      |
|                | ) | 73-14 (73-12183 & 73-12184)      |
| Case No. 39576 | ) | 73-161 (73-12185 & 73-12186)     |
|                | ) | 73-162 (73-12187 & 73-12188)     |
|                | ) | 73-163 (73-12189 & 73-12190)     |
|                | ) | 73-246 (73-12191 & 73-12192)     |
|                | ) | 73-2145 (73-12179 & 73-12180)    |
|                | ) | (Big Creek Ranch LLC & USDI/BLM) |
|                | ) |                                  |
|                | ) | SPECIAL MASTER REPORT            |
|                | ) | AND RECOMMENDATION               |

---

**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 Whitworth Ranches, Inc., and Sulphur Creek Livestock for between 2.4 cfs and 6.4 cfs from Big Creek, Mill Creek or ground water to irrigate 445.8 acres and 425.5 acres in Lemhi County and Custer County between April 1 to October 31 with priority dates between November 20, 1885, and August 1, 1955, based on a decree or license.

Old Corrals and Sagebrush LLLP filed an *Objection* in subcase 73-2145 on December 17, 2007, objecting to source, points of diversion and period of year. On April 26, 2010, IDWR filed a *Notice of Completed Administrative Proceeding* in subcase 73-2145 with Big Creek Ranch LLC, 280 Cranbrook Road, Hailey, Idaho, 83333, as the new claimant.

The United States of America, Department of Interior, Bureau of Land Management, Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho, 83709-1657, filed *Objections* in all seven subcases on December 18, 2007, objecting to place of use.

On October 7, 2009, IDWR filed an *NCAP* in subcases 73-13, 73-14, 73-161, 73-162, 73-163 and 73-246, for a substitution of party with Big Creek Ranch as the new claimant. On April 16, 2010, Big Creek Ranch was granted leave to amend those claims and on April 26, 2010, IDWR filed its *Amended Director's Report*. The USDI/BLM then filed its second round of *Objections* on May 14, 2010, objecting to place of use.

On November 1, 2011, Big Creek Ranch and the USDI/BLM filed a *Stipulation to Resolve Objections* in all seven of the above claims agreeing to split each claim into water rights on private lands (Big Creek Ranch) and water rights on federal public lands (USDI/BLM). On November 22, 2011, the parties, with IDWR's concurrence, filed *Standard Forms 5* splitting the water rights and disallowing the base claims as follows:

- 73-13:
  - 73-12181 (Big Creek Ranch)
  - 73-12182 (USDI/BLM)
- 73-14:
  - 73-12183 (Big Creek Ranch)
  - 73-12184 (USDI/BLM)
- 73-161:
  - 73-12185 (Big Creek Ranch)
  - 73-12186 (USDI/BLM)
- 73-162:
  - 73-12187 (Big Creek Ranch)
  - 73-12188 (USDI/BLM)
- 73-163:
  - 73-12189 (Big Creek Ranch)
  - 73-12190 (USDI/BLM)
- 73-246;
  - 73-12191 (Big Creek Ranch)
  - 73-12192 (USDI/BLM)
- 73-2145:
  - 73-12179 (Big Creek Ranch)
  - 73-12180 (USDI/BLM)

### Conclusions of Law

1. Big Creek Ranch is **not** entitled to partial decrees for claims 73-13, 73-14, 73-161, 73-162, 73-163, 73-246 and 73-2145 because of the splits.
2. Big Creek Ranch and the USDI/BLM are entitled to partial decrees adjudicating water rights as described in the *SF-5s* and the attached *Special Master Recommendations for Water Rights*.

### Recommendation

THEREFORE, IT IS RECOMMENDED that claims 73-13, 73-14, 73-161, 73-162, 73-163, 73-246 and 73-2145 be **disallowed**.

DATED November 25, 2011.



---

TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54 (b) FOR  
Case No. 39576 )  
 ) Water Right 73-12179

PAGE 1  
Nov-25-2011

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 73-12180

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: GROUND WATER

QUANTITY: 0.80 CFS  
186.00 AFY

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

PRIORITY DATE: 08/01/1955

POINT OF DIVERSION: T14N R22E S21 NESW Within Lemhi County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|----------------------------|----------------|----------------|------------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.80 CFS   |
|                            |                |                | 186.00 AFY |

| PLACE OF USE: | Irrigation       | Within Lemhi County |
|---------------|------------------|---------------------|
|               | T14N R22E S20    | SWNE 11.0           |
|               | S21              | NESE 13.0           |
|               | SWNE 29.0        |                     |
|               | 53.0 Acres Total |                     |

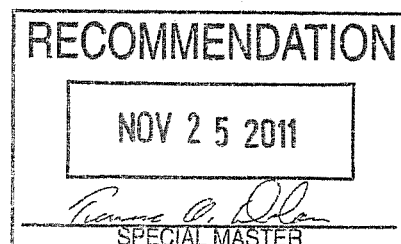
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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 73-12181

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

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.62 CFS

PRIORITY DATE: 05/01/1917

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

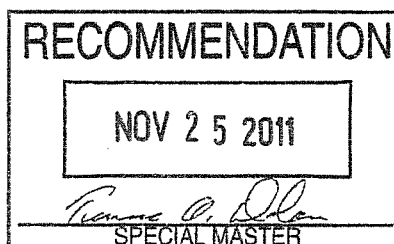
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.62 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 5 (SWSW) 8.0 |                     |
|               | S02 LOT 1 (NENW) 15.0          | LOT 2 (NWNW) 40.0   |
|               |                                | SESW 38.0           |
|               |                                | SWSE 24.0           |
|               |                                | SESE 36.0           |
|               | S11 NENE 40.0                  | SENE 27.0           |
|               | S12 LOT 2 (SWNW) 25.0          | NWSW 22.0           |
|               |                                | SESW 3.9            |
|               | T14N R23E S34 SESE 36.0        |                     |
|               | S35 SWSW 40.0                  | SESW 2.3            |
|               | 433.5 Acres Total              |                     |

This right is limited to the irrigation of 175 acres within the place of use described above in a single irrigation season. Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189 and 73-12191 are limited to the irrigation of a combined total of 433.5 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.

---

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 73-12182

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.38 CFS

PRIORITY DATE: 05/01/1917

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.38 CFS |

PLACE OF USE: Irrigation Within Lemhi County

|                     |             |          |
|---------------------|-------------|----------|
| T13N R23E S01 LOT 7 | (SWSW) 0.8  |          |
| S02                 | NESW 14.0   | NESE 5.2 |
| S03 LOT 1           | (NENE) 24.0 |          |
| S11                 | NWNE 8.0    | NESE 3.0 |
| S12 LOT 1           | (NWNW) 6.0  |          |
| T14N R23E S12       | NESW 1.4    |          |
| 62.4 Acres Total    |             |          |

This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season. Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192 are limited to the irrigation of a combined total of 62.4 acres in a single irrigation season.

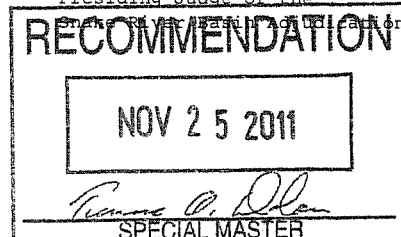
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Eric J. Wildman  
Presiding Judge of the



|                             |   |                            |
|-----------------------------|---|----------------------------|
| In Re SRBA                  | ) | PARTIAL DECREE PURSUANT TO |
|                             | ) | I.R.C.P. 54(b) FOR         |
| Case No. 39576              | ) |                            |
| <u>                    </u> | ) | Water Right 73-12183       |

PAGE 1  
Nov-25-2011

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 73-12184

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.30 CFS

PRIORITY DATE: 05/01/1917

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.30 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 7 (SWSW) 0.8 |                     |
|               | S02 NESW 14.0                  | NESE 5.2            |
|               | S03 LOT 1 (NENE) 24.0          |                     |
|               | S11 NWNW 8.0                   | NESE 3.0            |
|               | S12 LOT 1 (NWNW) 6.0           |                     |
|               | T14N R23E S12 NESW 1.4         |                     |
|               | 62.4 Acres Total               |                     |

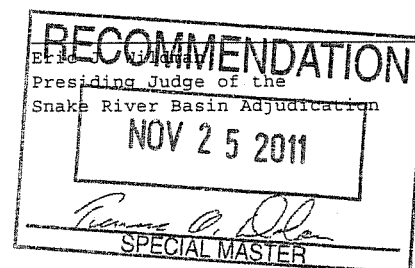
This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season. Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192 are limited to the irrigation of a combined total of 62.4 acres in a single irrigation season.

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.



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 73-12185

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

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.20 CFS

PRIORITY DATE: 11/20/1885

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 4.20 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 5 (SWSW) 8.0 |                     |
|               | S02 LOT 1 (NENW) 15.0          | LOT 2 (NWNW) 40.0   |
|               |                                | SENE 38.0           |
|               |                                | SWSE 24.0           |
|               |                                | SESE 36.0           |
|               | S11 NENE 40.0                  | SENE 27.0           |
|               | S12 LOT 2 (SWNW) 25.0          | NWSW 22.0           |
|               |                                | SESW 3.9            |
|               | T14N R23E S34 SESE 36.0        |                     |
|               | S35 SWSW 40.0                  | SESW 2.3            |
|               | 433.5 Acres Total              |                     |

This right is limited to the irrigation of 210 acres within the place of use described above in a single irrigation season. Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189 and 73-12191 are limited to the irrigation of a combined total of 433.5 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.

---

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 73-12186

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.60 CFS

PRIORITY DATE: 11/20/1885

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 10-31 0.60 CFS

PLACE OF USE: Irrigation Within Lemhi County  
T13N R23E S01 LOT 7 (SWSW) 0.8  
S02 NESW 14.0 NESE 5.2  
S03 LOT 1 (NENE) 24.0  
S11 NWNE 8.0 NESE 3.0  
S12 LOT 1 (NWNW) 6.0  
T14N R23E S12 NESW 1.4  
62.4 Acres Total

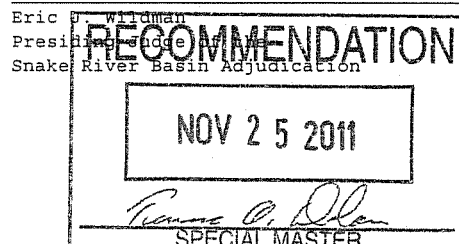
This right is limited to the irrigation of 30 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and  
73-12192 are limited to the irrigation of a combined total of  
62.4 acres in a single irrigation season.

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.





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 73-12187

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

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.80 CFS

PRIORITY DATE: 03/27/1888

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

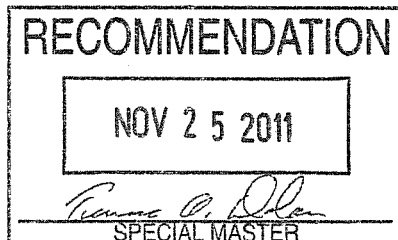
PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 10-31 2.80 CFS

PLACE OF USE: Irrigation Within Lemhi County  
T13N R23E S01 LOT 5 (SWSW) 8.0  
S02 LOT 1 (NENW) 15.0 LOT 2 (NWNW) 40.0  
SNNW 40.0 SENW 38.0  
NWSE 36.0 SWSE 24.0  
SESE 36.0  
S11 NENE 40.0 SENE 27.0  
S12 LOT 2 (SWNW) 25.0 NWSW 22.0  
SWSW 0.3 SESW 3.9  
T14N R23E S34 SESE 36.0  
S35 SWSW 40.0 SESW 2.3  
433.5 Acres Total

This right is limited to the irrigation of 140 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189 and  
73-12191 are limited to the irrigation of a combined total of  
433.5 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

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---

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 73-12188

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.40 CFS

PRIORITY DATE: 03/27/1888

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.40 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 7 (SWSW) 0.8 |                     |
|               | S02 NESW 14.0                  | NESE 5.2            |
|               | S03 LOT 1 (NENE) 24.0          |                     |
|               | S11 NWNW 8.0                   | NESE 3.0            |
|               | S12 LOT 1 (NWNW) 6.0           |                     |
|               | T14N R23E S12 NESW 1.4         |                     |
|               | 62.4 Acres Total               |                     |

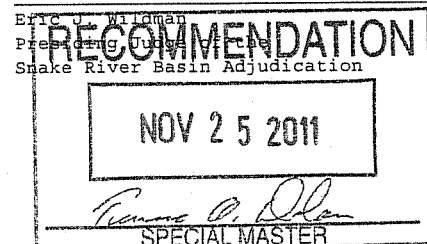
This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season. Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192 are limited to the irrigation of a combined total of 62.4 acres in a single irrigation season.

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.



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 73-12189

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

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.20 CFS

Right Nos. 73-12189 and 73-12191 are limited to a total combined  
diversion rate of 4.2 cfs.  
The diversion rate for this right is 4.2 cfs, less the flow of  
Mill Creek under water right 73-12191.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

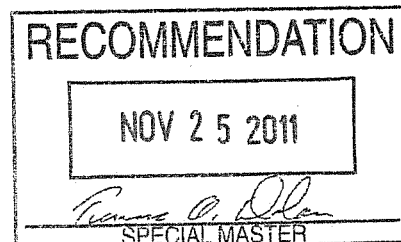
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 4.20 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 5 (SWSW) 8.0 |                     |
|               | S02 LOT 1 (NENW) 15.0          | LOT 2 (NWNW) 40.0   |
|               |                                | SENE 38.0           |
|               |                                | SENE 36.0           |
|               |                                | SENE 36.0           |
|               | S11 NENE 40.0                  | SENE 27.0           |
|               | S12 LOT 2 (SWNW) 25.0          | NWSW 22.0           |
|               |                                | SENE 3.9            |
|               | T14N R23E S34 SESE 36.0        |                     |
|               | S35 SWSW 40.0                  | SENE 2.3            |
|               | 433.5 Acres Total              |                     |

Right Nos. 73-12189 and 73-12191 are limited to the irrigation  
of a combined total of 210 acres in a single irrigation season.  
This right is limited to the irrigation of 210 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189 and  
73-12191 are limited to the irrigation of a combined total of  
433.5 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.

---

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 73-12190

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.60 CFS

Right Nos. 73-12190 and 73-12192 are limited to a total combined diversion rate of 0.6 cfs.  
The diversion rate for this right is 0.6 cfs, less the flow of Mill Creek under water right 73-12192.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION: T13N R23E S12 SESW Within Lemhi County  
R24E S18 SESW

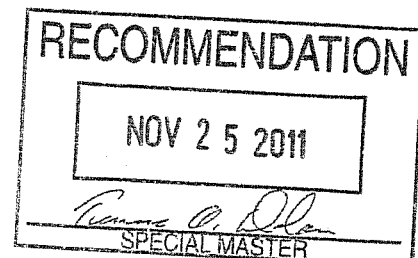
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.60 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 7 (SWSW) 0.8 |                     |
|               | S02 NESW 14.0                  | NESE 5.2            |
|               | S03 LOT 1 (NENE) 24.0          |                     |
|               | S11 NWNE 8.0                   | NESE 3.0            |
|               | S12 LOT 1 (NWNW) 6.0           |                     |
|               | T14N R23E S12 NESW 1.4         |                     |
|               | 62.4 Acres Total               |                     |

Right Nos. 73-12190 and 73-12192 are limited to the irrigation of a combined total of 30 acres in a single irrigation season. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season. Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192 are limited to the irrigation of a combined total of 62.4 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.

---

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 73-12191

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

SOURCE: MILL CREEK TRIBUTARY: BIG CREEK

QUANTITY: 4.20 CFS

Right Nos. 73-12189 and 73-12191 are limited to a total combined  
diversion rate of 4.2 cfs.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION: T13N R23E S12 NWNESE Within Lemhi County

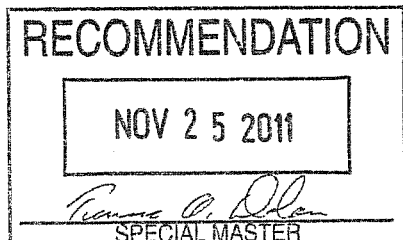
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 4.20 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 5 (SWSW) 8.0 |                     |
|               | S02 LOT 1 (NENW) 15.0          | LOT 2 (NWNW) 40.0   |
|               |                                | SWNW 40.0           |
|               |                                | SENW 38.0           |
|               |                                | NWSE 36.0           |
|               |                                | SWSE 24.0           |
|               |                                | SESE 36.0           |
|               | S11 NENE 40.0                  | SENE 27.0           |
|               | S12 LOT 2 (SWNW) 25.0          | NWSW 22.0           |
|               |                                | SWSW 0.3            |
|               |                                | SESW 3.9            |
|               | T14N R23E S34 SESE 36.0        |                     |
|               | S35 SWSW 40.0                  | SESW 2.3            |
|               | 433.5 Acres Total              |                     |

Right Nos. 73-12189 and 73-12191 are limited to the irrigation  
of a combined total of 210 acres in a single irrigation season.  
This right is limited to the irrigation of 210 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 73-12181, 73-12183, 73-12185, 73-12187, 73-12189 and  
73-12191 are limited to the irrigation of a combined total of  
433.5 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

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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 73-12192

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: MILL CREEK TRIBUTARY: BIG CREEK

QUANTITY: 0.60 CFS

Right Nos. 73-12190 and 73-12192 are limited to a total combined  
diversion rate of 0.6 cfs.

PRIORITY DATE: 03/01/1890

POINT OF DIVERSION: T13N R23E S12 NWNE SW Within Lemhi County

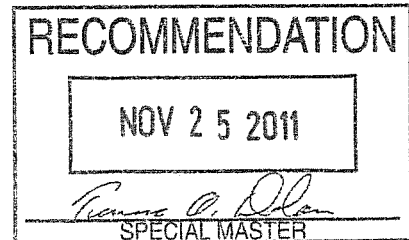
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.60 CFS |

| PLACE OF USE: | Irrigation                     | Within Lemhi County |
|---------------|--------------------------------|---------------------|
|               | T13N R23E S01 LOT 7 (SWSW) 0.8 |                     |
|               | S02 NESW 14.0                  | NESE 5.2            |
|               | S03 LOT 1 (NENE) 24.0          |                     |
|               | S11 NWNE 8.0                   | NESE 3.0            |
|               | S12 LOT 1 (NWNW) 6.0           |                     |
|               | T14N R23E S12 NESW 1.4         |                     |
|               | 62.4 Acres Total               |                     |

Right Nos. 73-12190 and 73-12192 are limited to the irrigation  
of a combined total of 30 acres in a single irrigation season.  
This right is limited to the irrigation of 30 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and  
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62.4 acres in a single irrigation season.

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

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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).

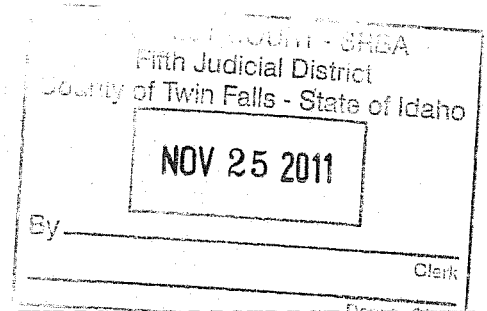


RULE 54(b) CERTIFICATE

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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 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s): 73-00013  
(SEE ATTACHED EXHIBIT A)

On November 25, 2011, 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 November 25, 2011.

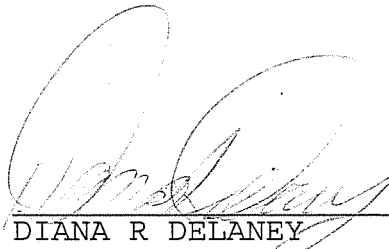
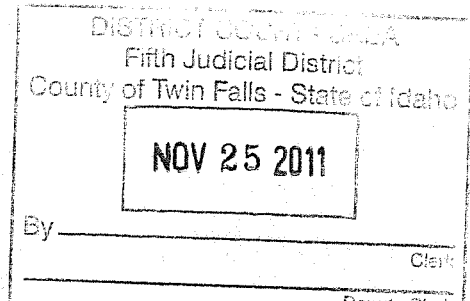
  
\_\_\_\_\_  
DIANA R DELANEY  
Deputy Clerk

Exhibit A

Subcase Nos:

73-00013  
73-00014  
73-00161  
73-00162  
73-00163  
73-00246  
73-02145  
73-12179  
73-12180  
73-12181  
73-12182  
73-12183  
73-12184  
73-12185  
73-12186  
73-12187  
73-12188  
73-12189  
73-12190  
73-12191  
73-12192



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): 73-00013  
(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 25, 2011, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA  
Represented by:  
UNITED STATES DEPT OF JUSTICE  
ENVIRONMENT & NATURAL RESOURCE  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

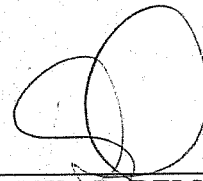
CERTIFICATE OF MAILING

PAGE 1  
11/25/11

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

BIG CREEK RANCH LLC  
280 CRANBROOK  
HAILEY, ID 83333

BIG CREEK RANCH LLC  
280 CRANBROOK RD  
HAILEY, ID 83333



---

DIANA R DELANEY  
Deputy Clerk

Exhibit A

Subcase Nos:

73-00013  
73-00014  
73-00161  
73-00162  
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73-12179  
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73-12192