

01/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-217

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 07/03/1906

POINT OF DIVERSION: T14N R23E S26 NWNWNW Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.600 CFS
PLACE OF USE: IRRIGATION in LEMHI County		
T14N R23E S16 NWSW	2.00	T14N R23E S16 Lot 4 SWSW ✓ 39.00
T14N R23E S16 Lot 3 SESW	27.00 73	T14N R23E S17 SESE ✓ 25.00 30
T14N R23E S20 NENE ✓ 39.00		T14N R23E S20 SENE ✓ 21.00
T14N R23E S21 NENE ✓ 28.00		T14N R23E S21 NWNE ✓ 26.00 31
T14N R23E S21 SWNE ✓ 13.00 39		T14N R23E S21 SENE ✓ 35.00 37
T14N R23E S21 NENW ✓ 40.00		T14N R23E S21 NWNW ✓ 40.00
T14N R23E S21 SWNW ✓ 37.00		T14N R23E S21 SENW ✓ 25.00 26
397 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 397 acres in a single irrigation season. Combined Right Nos.: 73-217, 73-10065.

This right is limited to the irrigation of 80 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

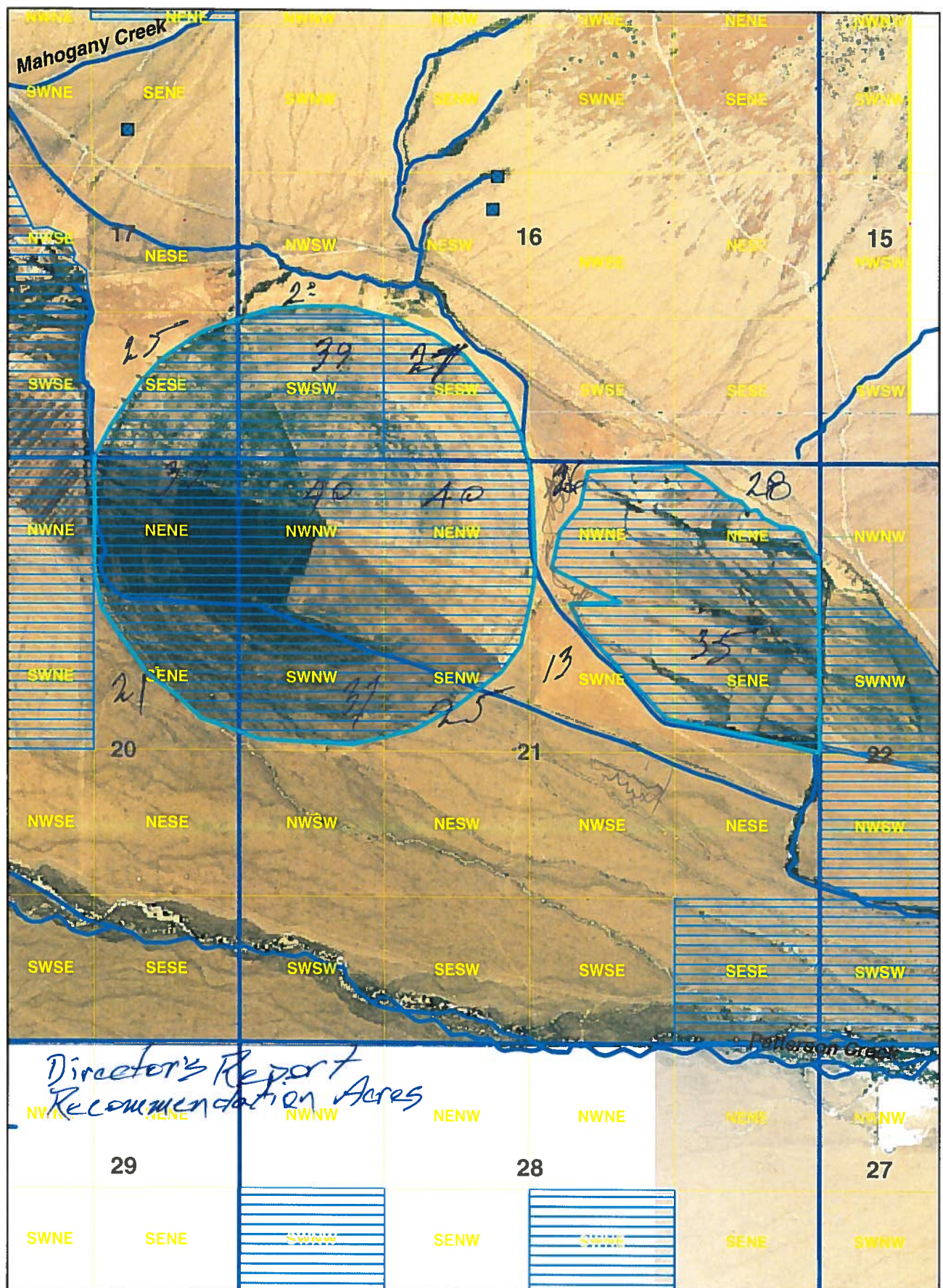
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

484-2

17 NWSE 08
SWSE 14
NESE 112 12
~~SESE 29~~
16 NESW 32
SWSE 13
SESE 06

21 NWSE 02

Circle_Pi 1987 Photo



01/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-217

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 07/03/1906

POINT OF

DIVERSION: T14N R23E S26 NWNWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T14N R23E S16 NWSW	2.00	T14N R23E S16 Lot 4 SWSW 39.00 ✓
	T14N R23E S16 Lot 3 SESW	27.00	T14N R23E S17 SESE 25.00
	T14N R23E S20 NENE	39.00	T14N R23E S20 SENE 21.00
	T14N R23E S21 NENE	28.00	T14N R23E S21 NWNE 26.00
	T14N R23E S21 SWNE	13.00	T14N R23E S21 SENE 35.00
	T14N R23E S21 NENW	40.00 ✓	T14N R23E S21 NWNW 40.00 ✓
	T14N R23E S21 SWNW	37.00	T14N R23E S21 SENW 25.00

397 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 397 acres in a single irrigation season. Combined Right Nos.: 73-217, 73-10065.

This right is limited to the irrigation of 80 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



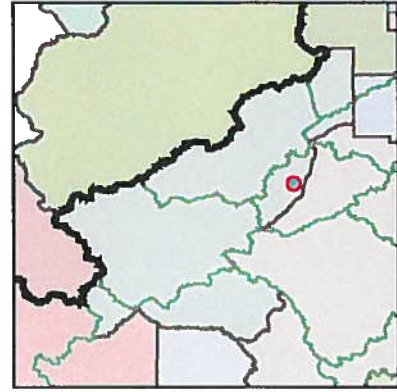
Idaho Department of Water Resources

SRBA Recommendation:

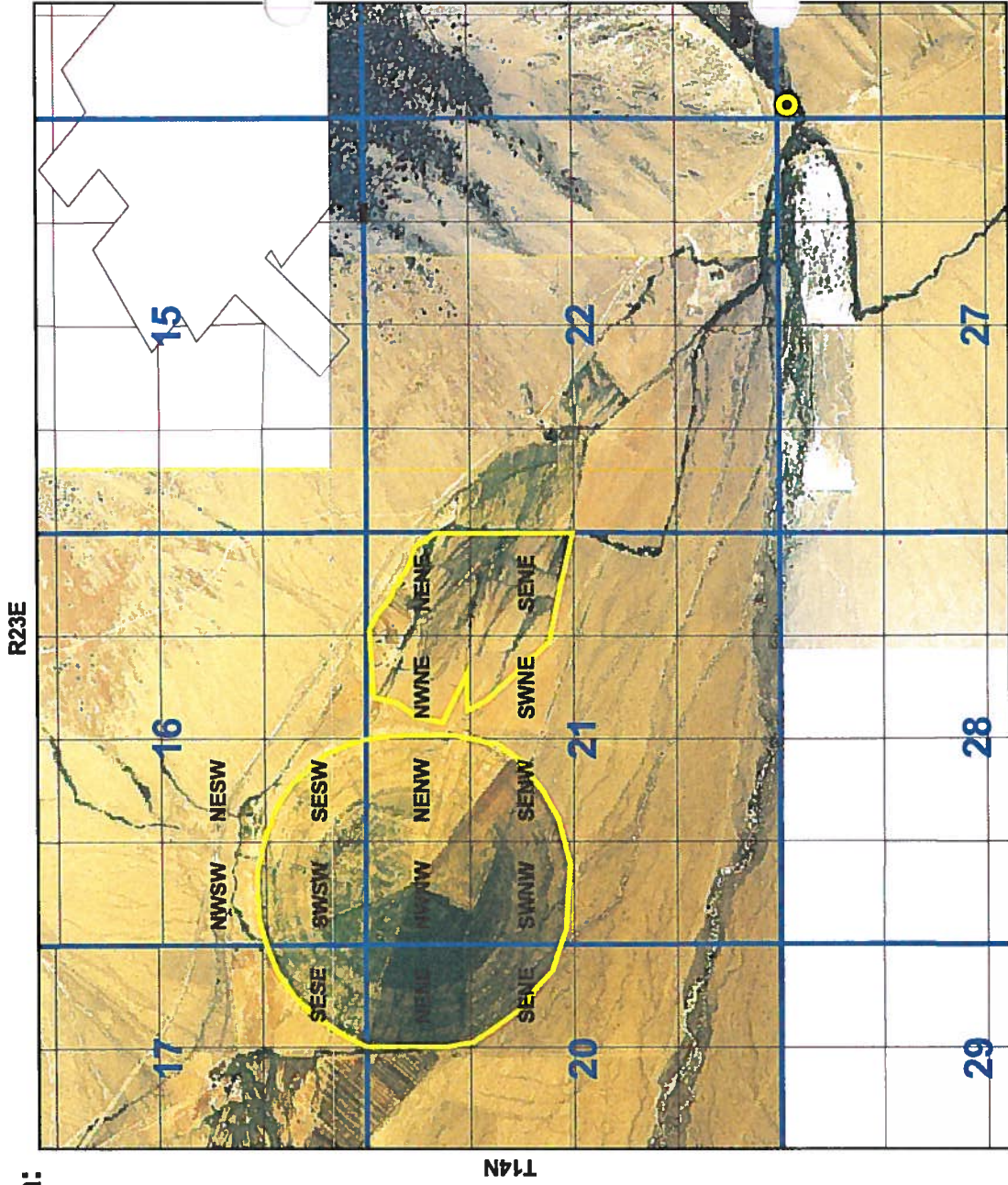
73-217
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 73



0 0.9 1.8 Miles

Prepared by D. Shaff
On Wednesday, December 6, 2006
1987/88 Aerial Photography

12/06/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-217

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 07/03/1906

POINT OF DIVERSION:

T14N R23E S26 NWNWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R23E S16	NWSW	2.00	T14N R23E S16 Lot 4 SWSW	39.00
T14N R23E S16 Lot 3	SESW	27.00	T14N R23E S17	SESE 25.00
T14N R23E S20	NENE	39.00	T14N R23E S20	SENE 21.00
T14N R23E S21	NENE	28.00	T14N R23E S21	NWNE 26.00
T14N R23E S21	SWNE	13.00	T14N R23E S21	SENE 35.00
T14N R23E S21	NENW	40.00	T14N R23E S21	NWNW 40.00
T14N R23E S21	SWNW	37.00	T14N R23E S21	SENW 25.00

397 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 397 acres in a single irrigation season. Combined Right Nos.: 73-217, 73-10065.

This right is limited to the irrigation of 80 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

73-217
73-10065

T14N R23E
Sec. 16,17,20,21,27

LEGEND

● Point(s) of Diversion

Place(s) of Use

Lot Numbers

Quarter Quarter Lines

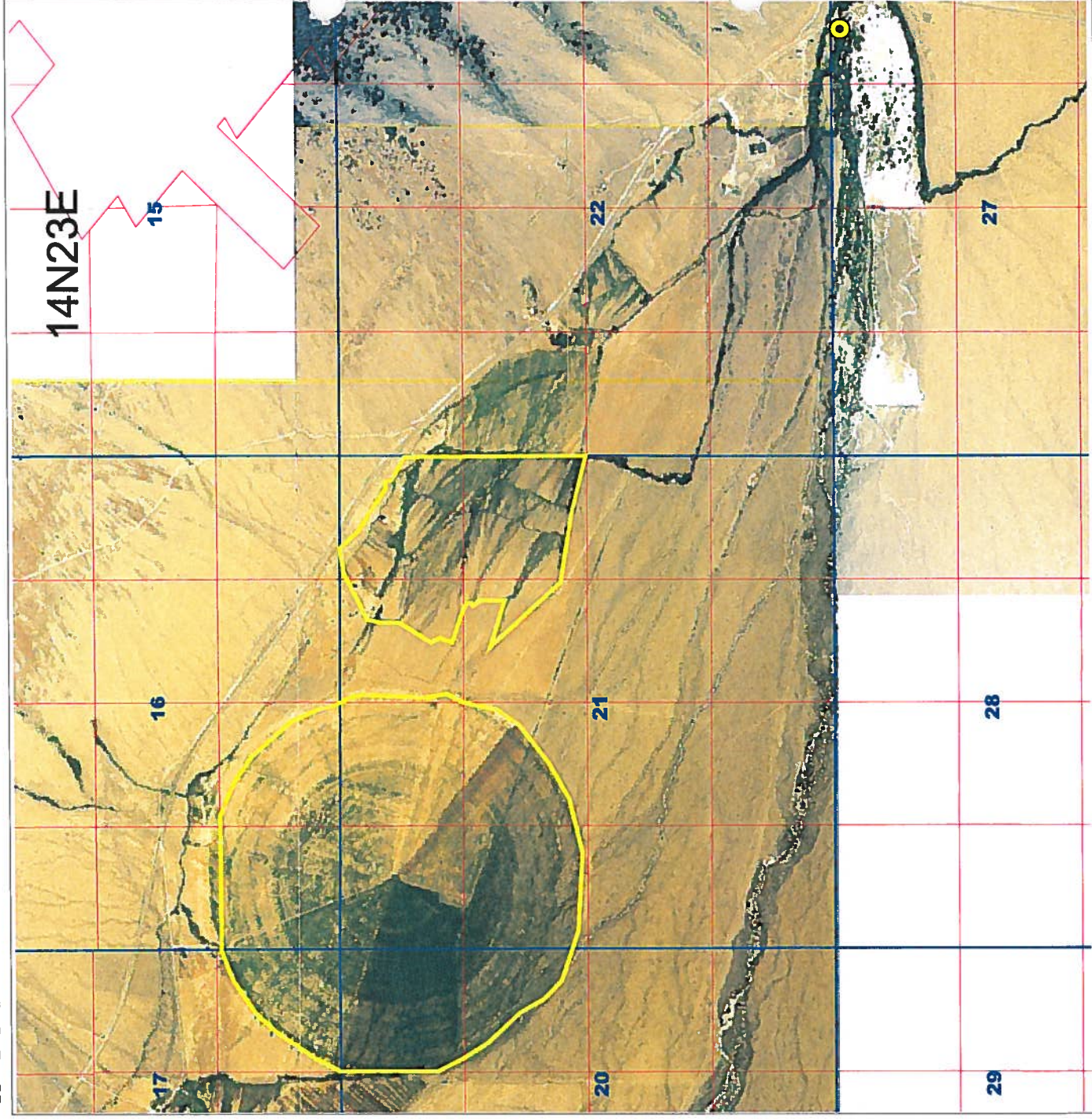
Section Lines

1988 True Color

IMAGE



Prepared By: Danielle Favreau



0.1 0 0.1 0.2 0.3 0.4 0.5 Miles

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

FILED

2009 DEC 7 PM 12 39

In Re SRBA)
Case No. 39576)

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

Water Right 73-02053

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 10/04/1909

POINT OF DIVERSION: T14N R22E S07 NENE Within Lemhi County
LOT 3 (NWSW) (Rediversion)
SENE (Injection)

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 Custer County
T14N R21E S01	SWNW 0.2	NESW 0.6
	NWSW 28.0	SWSW 39.0
	SESW 9.4	
S02	SWNE 27.0	SENE 15.0
	NESE 38.0	NWSE 26.0
	SWSE 17.0	SESE 40.0
S11	NENE 18.0	
S12	NENW 18.0	NWNW 40.0
	SWNW 23.0	SENE 9.6
	348.8 Acres Total	

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season.

This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands.

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).

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
TWIN FALLS CO., IDAHO
FILED

2009 DEC 7 PM 12 39

In Re SRBA)
Case No. 39576)

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

Water Right 73-07025

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: GROUND WATER

QUANTITY: 2.12 CFS
318.00 AFY

PRIORITY DATE: 12/07/1973

POINT OF DIVERSION: T14N R21E S12 NWNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.12 CFS 318.00 AFY

PLACE OF USE: Irrigation Within Custer County

T14N R21E S02	SWSE 20.0	SESE 39.0
S11	NENE 20.0	
S12	SWNW 27.0	
106.0 Acres Total		

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season.

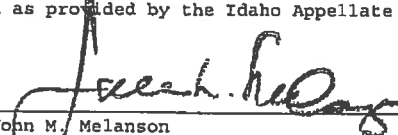
Place of use does not include federal public lands.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


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

01/04/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-6

NAME AND ADDRESS: CIRCLE PI LLC
HC 62 BOX 2295
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.800 CFS

PRIORITY DATE: 01/20/1910

POINT OF
DIVERSION:

T14N R22E S7 NWSW Lot 3 Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.800 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T14N R21E S01 SWNW	0.20	T14N R21E S01 NESW 0.60
	T14N R21E S01 NWSW	28.00	T14N R21E S01 SWSW 39.00
	T14N R21E S01 SESW	9.00	T14N R21E S02 Lot 2 NWNW 7.00
	T14N R21E S02 SWNE	28.00	T14N R21E S02 SENE 16.00
	T14N R21E S02 Lot 3 NENW	27.00	T14N R21E S02 Lot 4 NWNW 38.00
	T14N R21E S02 SWNW	39.00	T14N R21E S02 SENW 37.00
	T14N R21E S02 NESW	40.00	T14N R21E S02 NWSW 40.00
	T14N R21E S02 NESE	39.00	T14N R21E S02 NWSE 40.00
	T14N R21E S02 SWSE	19.00	T14N R21E S02 SESE 40.00
	T14N R21E S03 Lot 1 NENE	36.00	T14N R21E S03 Lot 2 NWNW 29.00
	T14N R21E S03 Lot 3 NENW	35.00	T14N R21E S11 NENE 21.00
	T14N R21E S12 NENW	19.00	T14N R21E S12 NWNW 40.00
	T14N R21E S12 SWNW	28.00	T14N R21E S12 SENW 29.00

723.8 ACRES TOTAL

Place of use does not include federal public lands.

This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 723.8 acres in a single irrigation season. Combined Right Nos.: 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2037, 73-2053, 73-7025, 73-10037, and 73-10063.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

115 220
348⁸

S WNE

670⁵

PPV

✓6

✓12

✓105✓

✓107✓

✓114✓

✓115✓

✓2015✓

✓2037✓

✓10037✓

✓10063✓

3F5
initiated
1/12/10

1053

108 2053 7025
348⁸

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 73-00108

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG - 6 2009
By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62, BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 11/28/1904

POINT OF DIVERSION: T14N R22E S07 SWNE Within Custer County
SENE (Injection)
LOT 3 (NWSW) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Custer County
T14N R21E S01	SWNW 0.2 NWSW 28.0 SESW 9.4	NESW 0.6 SWSW 39.0
S02	SWNE 27.0 NESE 38.0 SWSE 17.0	SENE 15.0 NWSE 26.0 SESE 40.0
S11	NENE 18.0	
S12	NENW 18.0 SWNW 23.0	NWNW 40.0 SENE 9.6
348.8 Acres Total		

This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season. Place of use does not include federal public lands.

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).

RECEIVED
AUG 07 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG - 6 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

ORDER OF PARTIAL DECREE

Subcase No. 73-00108
(Circle Pie Ranches Partnership)

On June 25, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

August 6, 2009



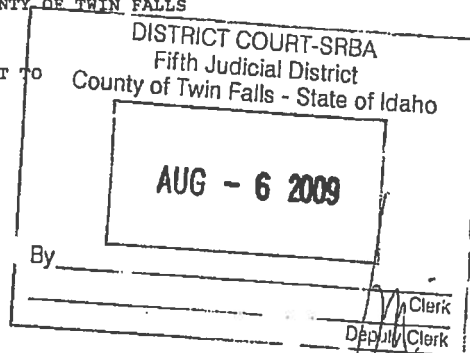
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 73-02053



NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62, BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 10/04/1909

POINT OF DIVERSION: T14N R22E S07 NENE Within Lemhi County
LOT 3 (NWSW) (Rediversion)
SENE (Injection)

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 Custer County
T14N R21E S01	NESW 0.6 SWSW 39.0
S02	SENE 15.0 NWSE 26.0 SESE 40.0
S11	NENE 18.0
S12	NENW 18.0 SWNW 23.0
348.8 Acres Total	

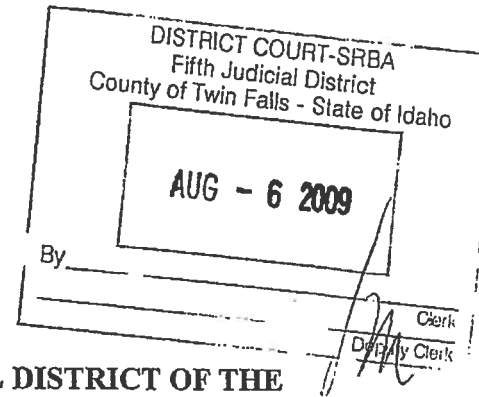
Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands.

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).

RECEIVED
AUG 07 2009
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

) ORDER OF PARTIAL DECREE

) Subcase No. 73-02053
) (Circle Pie Ranches Partnership)
)

On June 25, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED August 6, 2009.



JOHN M. MELANSON
Presiding Judge
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

AMENDED

FILED

In Re SRBA
Case No. 39576

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

Water Right 73-00108

2009 DEC 7 PM 12 39

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 11/28/1904

POINT OF DIVERSION: T14N R22E S07 SWNE Within Custer County
SENE (Injection)
LOT 3 (NWSW) (Rediversion)

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE:

Irrigation	Within Custer County
T14N R21E S01	NESW 0.6 SWSW 39.0
S02	SENE 15.0 NWSE 26.0 SESE 40.0
S11	NENE 18.0
S12	NENW 18.0 SWNW 23.0
348.8 Acres Total	

This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season. Place of use does not include federal public lands.

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).

Shaff, Don

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Sunday, January 10, 2010 10:27 AM
To: Shaff, Don
Subject: RE: Circle Pie

Don,

I hate to say this, but do we need to reopen 73-108, 73-2053 and 73-7025 to fix the conditions on those rights? Unfortunately, BLM jumped the gun by settling their objections and we did not consider the fact these rights are all within the same system (in fact, I never saw the SF5s before Ben signed them.)

I'm thinking we do need to correct those other rights. What do you think?

R-

From: Shaff, Don [mailto:Don.Shaff@idwr.idaho.gov]
Sent: Friday, January 08, 2010 4:13 PM
To: Roxanne Brown
Subject: FW: Circle Pie

Roxanne, here's the message I sent the other day. I don't think I sent another since the new year. I hope you did not lose more important stuff. Talk to you soon.

Don Shaff

(208)287-4921

don.shaff@idwr.idaho.gov

Happiness is a journey, not a destination.

From: Shaff, Don
Sent: Wednesday, January 06, 2010 4:15 PM
To: rbrown@spfwater.com
Subject: Circle Pie

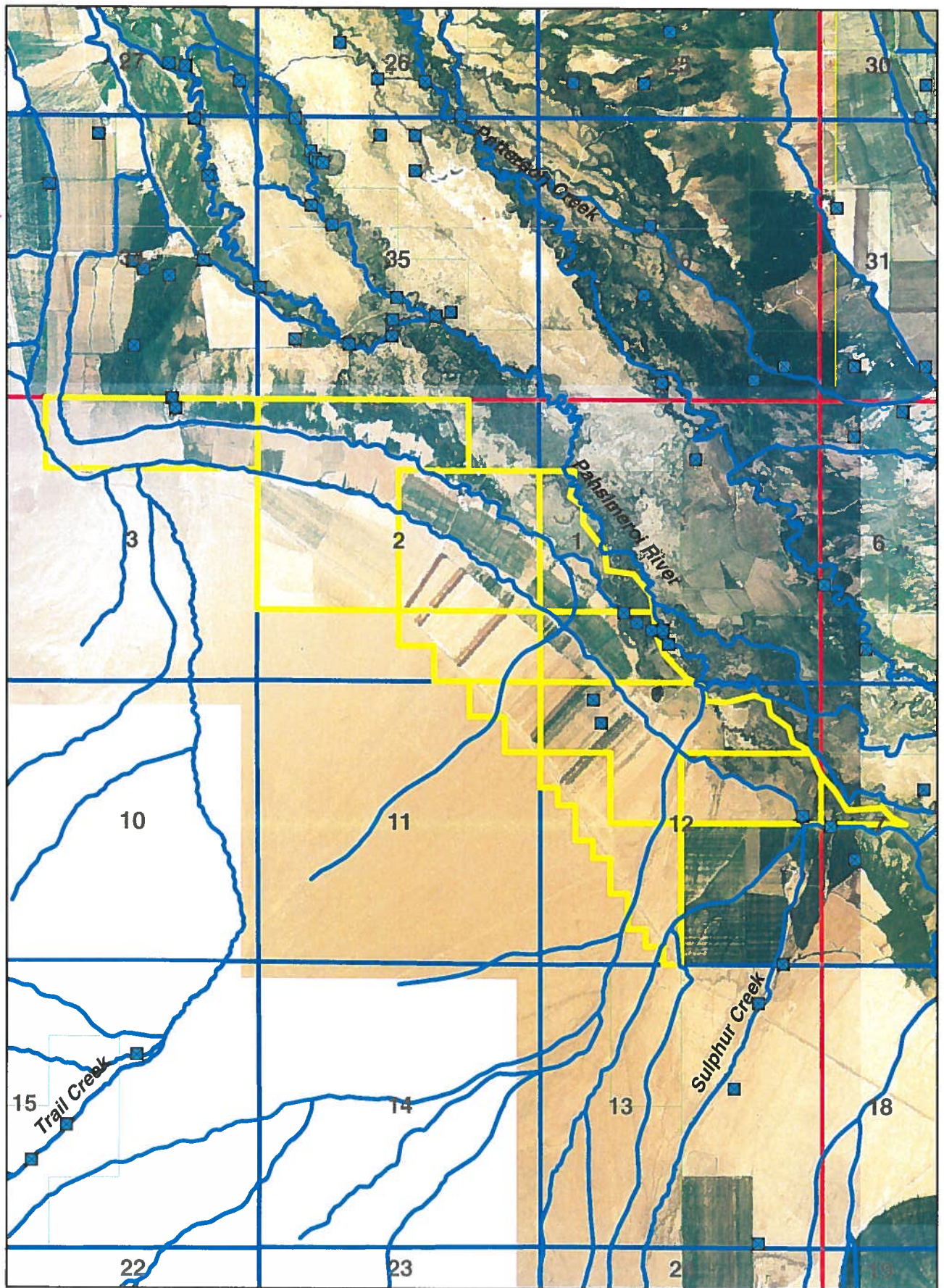
Hi Roxanne,

I reviewed one POU group and have no trouble with those. I have attached 73-6 as an example of how I have the rest of the overlapping rights. <<73-6 ADR.RTF>> I think we should meet to talk about the other POU. I have questions about the extent of the POU presented and what I see on the ground in the photography. Let me know when is a good time for us to meet and pour over the photography together. I think 73-12166 coming to IDWR soon is in the same 710 acre POU.

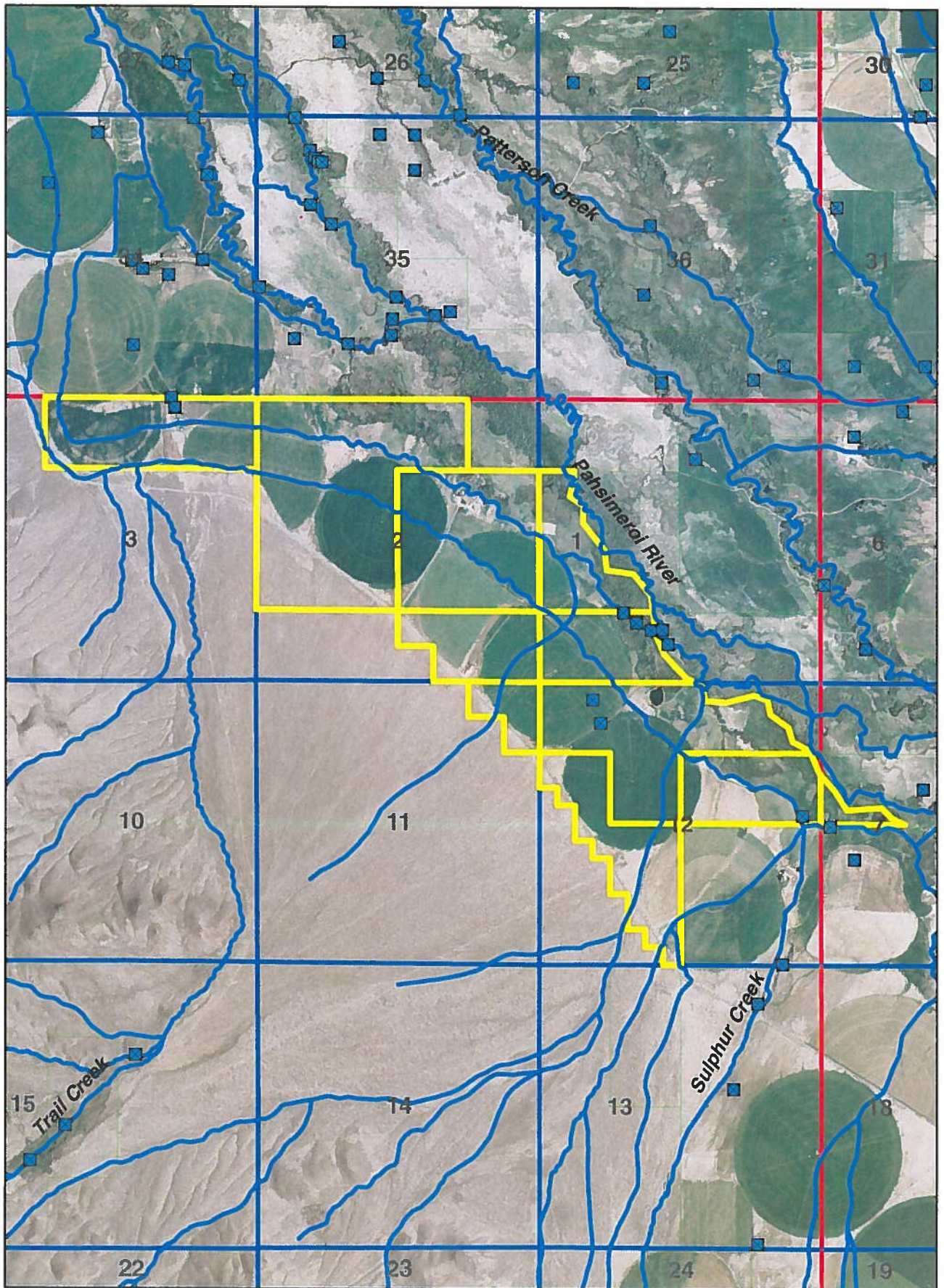
Thanks,

Don Shaff

Circle_Pi 1987



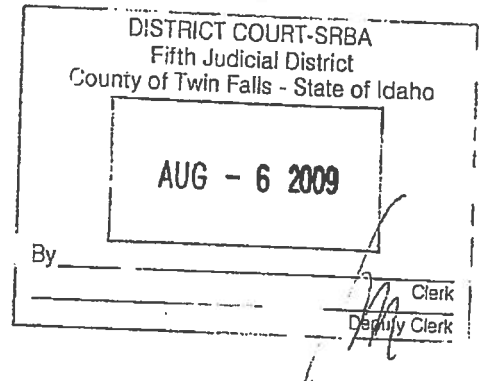
Circle_Pi 2009



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-07025



NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62, BOX 2295
MAY, ID 83253

SOURCE: GROUND WATER

QUANTITY: 2.12 CFS
318.00 AFY

PRIORITY DATE: 12/07/1973

POINT OF DIVERSION: T14N R21E S12 NWNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.12 CFS 318.00 AFY

PLACE OF USE: Irrigation

T14N R21E S02	SWSE 20.0	Within Custer County
S11	NENE 20.0	SESE 39.0
S12	SWNW 27.0	
106.0 Acres Total		

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108,
73-114, 73-2015, 73-2053 and 73-7025 are limited to the
irrigation of a combined total of 352.8 acres in a single
irrigation season.
Place of use does not include federal public lands.

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

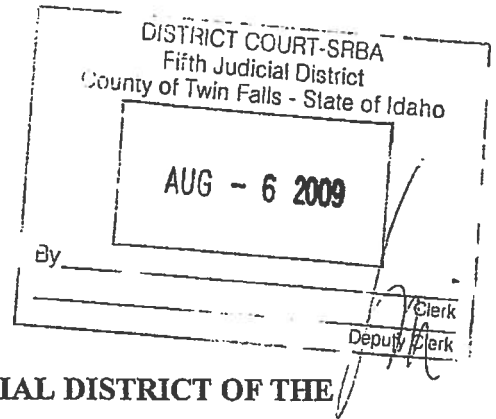
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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

RECEIVED
AUG 07 2009
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

ORDER OF PARTIAL DECREE

Subcase No. 73-07025
(Circle Pie Ranches Partnership)

On June 25, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

August 6, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

Circle_Pi 2009 Photo

