

Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington*
Scott A. Magnuson

* Licensed in Idaho & Washington



195 River Vista Place, Suite 204
Twin Falls, Idaho 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 West Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Paul L. Arrington
pla@idahowaters.com

March 17, 2016

Trish Fawcett
Idaho Department of Water Resources
650 Addison Ave. W., Suite 500
Twin Falls, ID 83301-5858

RECEIVED

MAR 21 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: *Change of Ownership for Water Rights 37-22915, 37-22916, 37-22917, 37-22918
and 37-22919*

Dear Ms. Fawcett:

On January 13, 2015, you provided notice to Belle Ranch of the completed change in ownership and split of its water rights – changing the ownership of a portion of each right to First Security Corp (“FSC”). The water rights are as follows:

Belle Ranch Right	New FSC Right
37-481C	37-22915
37-482H	37-22916
37-483C	37-22917
37-577BT	37-22918
37-2630	37-22919

This change in ownership was in error and should be reversed. Attached is a copy of the Notice of Change in Ownership previously provided to the Department evidencing Belle Ranch’s ownership of the entirety of the above water rights. (ATTACHMENT 1). The Department previously reviewed this documentation and determined that it adequately confirmed Belle Ranch’s ownership.

Notwithstanding these documents, the Department has now determined that a portion of the Belle Ranch water rights are actually owned by FSC. This determination is apparently based on information provided in a December 22, 2014 letter from Chris Bromley. Based entirely on that letter, and without prior notice to Belle Ranch, the Department has split portions of the Belle Ranch water rights and given them to FSC.

Mr. Bromley's letter does not support a change in the ownership of the Belle Ranch water rights. Ownership of those rights was decreed in the Snake River Basin Adjudication ("SRBA") in 2009. (ATTACHMENT 2). The Department has no authority to go behind those decrees and alter the SRBA's ownership determination.

The SRBA is a quiet title action with respect to the water rights being adjudicated. Under Idaho Code, the Director submits a report to the SRBA identifying several elements of the recommended water rights – including "the name and address of the claimant." I.C. § 42-1411(2)(a). Any challenges to the elements of the water rights – including ownership – must be addressed before the Court, which will then decree the water right and its elements. I.C. § 42-1412. Once issued, "the decree entered in a general adjudication shall be conclusive as to the nature and extent of all water rights in the adjudicated water system." I.C. § 42-1420.

The Belle Ranch water rights were originally recommended in the SRBA under the ownership of South County Estates, LLC ("South County").¹ (ATTACHMENT 3). South County is an Idaho Limited Liability Company. For all years on record with the Idaho Secretary of State (2004-2010), South County had one identified "Managing Member" – John Scherer. (ATTACHMENT 4). The recommendations for these water rights were entered in the SRBA in early 2007. (ATTACHMENT 3).

In June, 2009, South County apparently attempted to convey a portion of the Belle Ranch water rights to "John Scherer and Charles Holt." (ATTACHMENT 5). This "John Scherer" is the same John Scherer identified as the Managing Member of South County. Importantly, neither South County, John Scherer nor Charles Holt ever notified the Court or Department of any attempted conveyance. See I.C. § 42-1406(6) ("All claimants and purchasers shall provide the director written notice of any change in ownership or of any change in mailing address during the pendency of a general adjudication"); *Id.* at § 42-248(1) (ownership changes must be provided to the Department within 120 days of the change).

On July 9, 2010 – over a year after the attempted conveyance – Special Master Bilyeu entered her *Amended Special Master's Report & Recommendation; Findings of Fact and Conclusions of Law* (the "Amended Recommendation") recommending the entirety of the water rights for decree in the name of South County. (ATTACHMENT 6). Importantly, that Amended Recommendation identified the sole owner of the Belle Ranch water rights as "South County Estates, LLC" and was served on South County. *Id.* As such, at least South County and John Scherer knew of the Special Master's ownership determination at that time. Yet, neither South County, John Scherer nor Charles Holt challenged the Special Master's ownership determination. See SRBA AO1 13 (Parties must submit Motion to Alter or Amend to challenge any element recommended by a Special Master for decree).

¹ Belle Ranch is the successor in interest to South County Estates, LLC. (Attachment 1).

On August 31, 2010, Judge Wildman issued Partial Decrees for each of the water rights – following the Special Master’s recommendation and decreeing them entirely in the name of “South County Estates, LLC.” (ATTACHMENT 2). Notice of the partial decrees was served on South County. *Id.* Therefore, at that time, both South County and John Scherer knew of the Court’s ownership determination. Yet, again, neither South County, John Scherer nor Charles Holt took any action to challenge the Court’s determination of ownership. *See* SRBA AO1 15(a) (allowing for appeals of partial decrees); I.R.C.P. 54(b) (allowing for appeals of final judgments); I.R.C.P. 60 (allowing for motions to amend judgements). In fact, no action was taken on the attempted conveyance until the end of 2014 – four years after the SRBA had determined that South County owned the entirety of the water rights.

Given his status as both the Managing Member of South County and the recipient of the attempted conveyance, John Scherer would have been well aware of the Court’s actions and the impending adjudication of the water rights in the name of South County. He received a copy of the Director’s Report, Special Master Recommendation and Partial Decrees and never challenged the Court’s adjudication of ownership of the water rights. As such, the water rights were decreed, in their entirety, in the name of South County. Those Partial Decrees are binding on the Department and parties as to the elements determined therein. I.C. § 42-1420 (“The decree entered in a general adjudication shall be conclusive as to the nature and extent of all water rights in the adjudicated water system”). Accordingly, the ownership of the water rights should be corrected to show that Belle Ranch owns the entire water rights.

To be sure, Belle Ranch does not mean to imply that the ownership of a decreed water right cannot be changed. Rather, the issue here is that the attempted conveyance occurred before the SRBA decree and no effort was made by either the reputed buyer or seller (who were effectively the same person) to alter the ownership records prior to the Court’s determination of ownership. The Partial Decrees, therefore, quieted title to the water rights, in their entirety, to South County. Any interest allegedly acquired by John Scherer and/or Charles Holt prior to the issuing of the Partial Decrees, therefore, was voided.

Mr. Bromley’s letter points the Department to a number of documents and claims they confirm FSC’s ownership of a portion of the Belle Ranch water rights. However, the letter ignores the fact that neither South County, John Scherer nor Charles Holt ever notified the Department or the SRBA of the attempted conveyance as required by Idaho law. Nor does the letter recognize that the Partial Decrees effectively quieted title to the water rights in the name of South County. Furthermore, all of the documents provided by Mr. Bromley stem from the June, 2009 transaction, which, as discussed above, is no longer of any affect in light of the subsequent Partial Decrees.

///

Ms. Fawcett
March 17, 2016
Page 4

Accordingly, please correct the Department's records of ownership of the above water rights to reflect Belle Ranch's ownership of the entire water rights. If you have any questions, please don't hesitate to give me a call at 208-733-0700.

Yours Truly,

A handwritten signature in dark ink, appearing to be 'Paul L. Arrington', with a large, sweeping loop at the end.

Paul L. Arrington

PLA/jn
Enclosures

cc: Client (via email)

Attachment 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 28 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
37-481C	Yes ☐		Yes ☐		Yes ☐
37-577BT	Yes ☐		Yes ☐		Yes ☐
37-482H	Yes ☐		Yes ☐		Yes ☐
37-2630	Yes ☐		Yes ☐		Yes ☐
37-483C	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: GERALD BASHAW (OPERATOR) MTN. WEST BANK
Name of current water right holder/claimant PREVIOUS - JOHN SHERMAN
3. New Owner(s)/Claimant(s): JUSTIN STEVENSON (SOUTH COUNTY ESTATES)
Name of each new owner as listed on the conveyance document BRETT STEVENSON BELLE RANCH LLC
New owner continued ☐ Name connector ☐ and ☐ or ☒ and/or
Box 3722
Mailing address HAILEY ID 83333
City HAILEY State ID ZIP 83333
208 788-3978 Telephone JUSTIN FLOOD 75@HOTMAIL.COM Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: DEC 21 2011

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature: [Signature] 2-22-11
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DB Date 2/28/2012 Receipt No. 5032379 Receipt Amt. \$125-
Approved by _____ Processed by _____ Date _____

Filed for record at the Request of:
Blaine County Title
PO Box 3176
Ketchum, ID 83340

Instrument # 593252

HAILEY, BLAINE, IDAHO
12-22-2011 4:09:00 PM No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$16.00
Ex-Officio Recorder Deputy: mpp
Electronically Recorded by Simplifile

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, GBCI OTHER REAL ESTATE, LLC, a Montana Limited Liability Company ("Grantor"), whose address is 49 Commons Loop, Kalispell, MT 59901, does hereby grant, bargain, sell, and convey unto Belle Ranch, LLC, an Idaho Limited Liability Company ("Grantee"), whose address is PO Box 3322 Hailey, ID 83333 that certain real property located in Blaine County, Idaho, which is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

Conveying, without Warranty, any and all water rights appurtenant to the real property described on Exhibit "A", including without limitation, Water Right Nos. 37-481C, 37-577BT, 37-482H, 37-2630 and 37-483C.

TO HAVE AND TO HOLD the said property, with its appurtenances unto the Grantee and its successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that Grantor is the owner in fee simple of said property and that such property is free from all encumbrances made or suffered by the Grantor.

The Grantor expressly limits the covenants of this Deed to those herein expressed and excludes all covenants arising or to arise by statutory or other implication, and covenant that Grantors will forever warrant and defend title to the property conveyed herein against all persons who lawfully claim by, through, or under the Grantors, but not otherwise.

DATED this 20th day of December, 2011

GBCI OTHER REAL ESTATE, LLC

By: 
Rich Brittain, SVP Special Assets Administrator
Its: Authorized Agent

STATE OF IDAHO

)

SS

COUNTY OF

)

On this 20th day of December, 2011, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Rich Brittain, known or identified to me to be the SVP Special Assets Administrator and duly Authorized Agent of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Tammal L. Bromley
Notary Public for Idaho
Residing at: Coeur d'Alene
Commission expires: 2/14/16

SCHEDULE A

Order Number: 1117502

LEGAL DESCRIPTION

Parcel 1 and Parcel 2, Block 1 of BELLE RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 563443, Records of Blaine County, Idaho.

EXCEPTING a portion of said Parcel 1 more particularly described as follows:

COMMENCING at an iron pin marking the North $\frac{1}{4}$ Corner of Section 7 Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho; thence North $89^{\circ}58'18''$ West, 1,317.24 feet along the Northerly boundary of the $E\frac{1}{2}NW\frac{1}{4}$, Section 7, to an iron pin marking the Northwest corner of said $E\frac{1}{2}NW\frac{1}{4}$, Section 7, said pin also being the REAL POINT OF BEGINNING;

Thence continuing North $89^{\circ}58'18''$ West, 34.73 feet along the Northerly boundary of the $W\frac{1}{2}NW\frac{1}{4}$, Section 7, to an iron pin on the intersection of the Northeasterly boundary of the Union Pacific Railroad and said Northerly boundary of the $W\frac{1}{2}NW\frac{1}{4}$, Section 7;

Thence South $31^{\circ}10'34''$ East, 67.81 feet along said Northeasterly Railroad boundary to an iron pin on the intersection of said Northeasterly Railroad boundary and the Westerly boundary of said $E\frac{1}{2}NW\frac{1}{4}$ of Section 7;

Thence North $0^{\circ}22'13''$ West, 58.00 feet along said Westerly boundary of the $E\frac{1}{2}NW\frac{1}{4}$ to the Point of Beginning. (Tax Lot 4913)



Justin Stevenson

27 January 2012 by HGIS®

The Sprinkler Shop

A PLAN SHOWING **BELLE RANCH SUBDIVISION** WHEREIN LOTS 153 & 1913 ARE SUBDIVIDED AS SHOWN LOCATED WITHIN

SECTIONS 6 & 7, T. 1 N., R. 1 E., B.M. BLAINE COUNTY, IDAHO

RECEIVED SEP 20 1913

GRAPHIC SCALE



LEGEND

Property Line	-----
Proposed Lot Line	-----
Section Line	-----
Right-of-way Line	-----
Centerline Road	-----
Adjoining Lot Line	-----
25% Slope Line	-----
15% Slope Line	-----
10% Slope Line	-----
Blue Acreage Line	-----
Calculation Footing Tie	-----
Drainage Course	-----
Found Aluminum Cap	-----
Found Brass Cap	-----
Found 5/8" Rebar	-----
Found 1" Iron Pipe	-----
Set 5/8" Rebar	-----

1/4" = 50'

200' 1/2"

100' 1/4"

50' 1/8"

25' 1/16"

12' 1/32"

6' 1/64"

3' 1/128"

1' 1/256"

1/2' 1/512"

1/4' 1/1024"

1/8' 1/2048"

1/16' 1/4096"

1/32' 1/8192"

1/64' 1/16384"

1/128' 1/32768"

1/256' 1/65536"

1/512' 1/131072"

1/1024' 1/262144"

1/2048' 1/524288"

1/4096' 1/1048576"

1/8192' 1/2097152"

1/16384' 1/4194304"

1/32768' 1/8388608"

1/65536' 1/16777216"

1/131072' 1/33554432"

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1/

QUITCLAIM DEED

THIS INDENTURE, made this 21st day of December, 2011, between

Mountain West Bank, as GRANTOR and

Belle Ranch, LLC, an Idaho Limited Liability Company, as GRANTEE(S)

whose current address is: PO Box 3322, Hailey, ID 83333

WITNESS, that said Grantor(s), for an in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to wit:

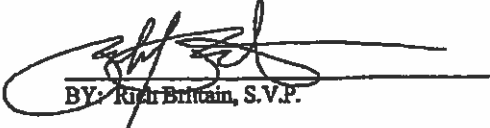
Any and all water rights appurtenant to the real property described in Exhibit "A", including without limitation, Water Right Nos. 37-481C, 37-577BT, 37-482H, 37-2630 and 37-483C.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Mountain West Bank


BY: Rich Brittain, S.V.P.

STATE OF Idaho)

COUNTY OF Kootenai) ss.

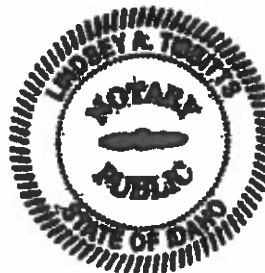
On this 21st day of December, 2011 before me, the undersigned, a Notary Public, in and for said State, personally appeared Rich Brittain, known or identified to me to be the Senior Vice President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public

Notary Resides: Rathdrum, ID

My commission expires: 2/24/2016



Attachment 2

RECEIVED
SEP 01 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 31 2010	
By _____	Clark _____
	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 DECREES

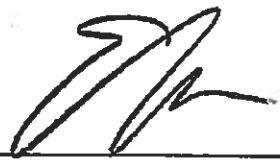
Subcase Nos.: 37-00481C, 37-00482H,
37-00483C, 37-00577BT & 37-02630
(South Country Estates LLC)

On July 9, 2010, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Amended 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 *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

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

DATED August 31, 2010.



ERIC J. WILDMAN
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 37-00481C

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

AUG 31 2010

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.014 CFS

PRIORITY DATE: 08/01/1982

POINT OF DIVERSION: T02N R18E S36 SHNW Within Blaine County

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 3.014 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R19E S06	NESW 24.0	LOT 6 (NNSW) 33.0
LOT 7 (SWSW) 12.0	SESW 39.0	
	SWSE 8.5	
S07	NWNE 31.0	SWNE 38.0
	SENE 15.0	NENW 28.0
	SESW 5.5	NESE 35.0
	NWSE 20.0	
289.0 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 289 acres in a single irrigation season.
Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and
37-2630.

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 37-00482H

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

AUG 31 2010

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.012 CFS

PRIORITY DATE: 08/01/1884

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.012 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSW) 33.0
	LOT 7 (SWSW) 12.0	SESW 39.0
	SWSE 8.5	
	S07	SWNE 38.0
	NWNE 31.0	NENW 28.0
	SENE 15.0	NESE 35.0
	SESW 5.5	
	NWSE 20.0	
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 289 acres in a single irrigation season.
Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and
37-2630.

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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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).

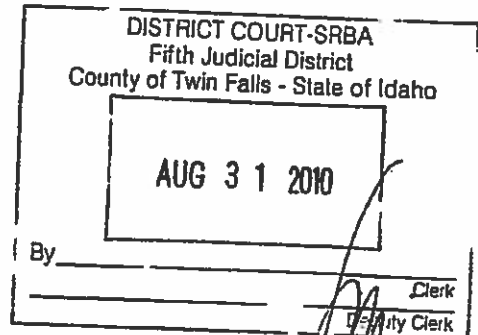
RULE 54(b) CERTIFICATE

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 37-00483C



NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 15.086 CFS

PRIORITY DATE: 08/01/1902

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	15.086 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01N R19E S06	NESW 24.0	LOT 6 (NWSW) 33.0
LOT 7	(SWSW) 12.0	SESW 39.0
	SWSE 8.5	
S07	NWNE 31.0	SWNE 38.0
	SENE 15.0	NENW 28.0
	SENW 5.5	NESE 35.0
	NWSE 20.0	
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

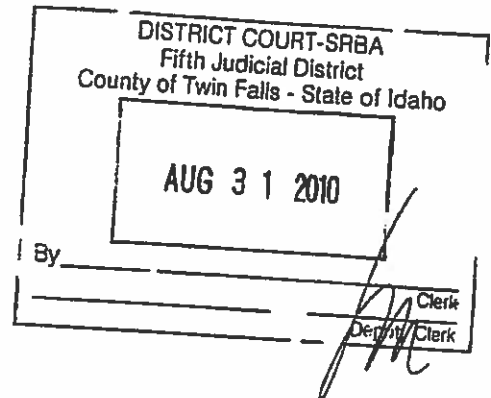
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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. Widdman
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 37-00577BT



NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.20 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSW) 33.0
	LOT 7 (SWSW) 12.0	SESW 39.0
		SWSE 8.5
	S07	NWNE 31.0
		SWNE 38.0
		NENW 28.0
		SENE 15.0
		SENE 5.5
		NESE 35.0
		NWSE 20.0
	289.0 Acres Total	

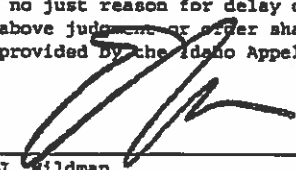
The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

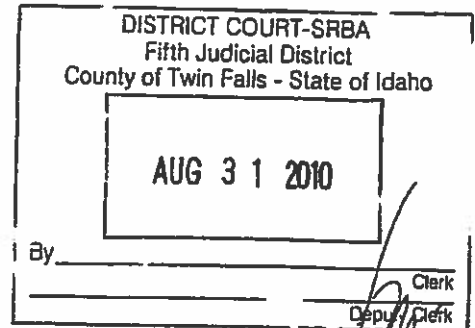
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 37-02630



NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 3.75 CFS
1011.50 AFY

PRIORITY DATE: 02/02/1960

POINT OF DIVERSION: T01N R19E S06 NWNWSW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.75 CFS 1011.50 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSW) 33.0
	LOT 7 (SWSW) 12.0	SESW 39.0
		SWSE 8.5
	S07	NWNE 31.0
		SENE 15.0
		SENE 5.5
		NWSE 20.0
		SWNE 38.0
		NENW 28.0
		NESE 35.0
	289.0 Acres Total	

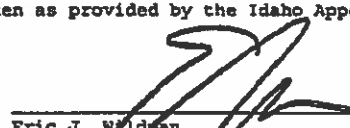
The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482E, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on August 31, 2010, with sufficient first-class postage to the following:

SOUTH COUNTY ESTATES LLC

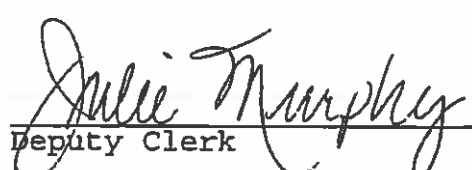
Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

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

ORDER

Page 1 8/31/10

FILE COPY FOR 01370


Deputy Clerk

Attachment 3

SRBA

DIRECTORS REPORT 37-00481C

[Return to SRBA Home Page](#)

[Return to SRBA IWATRS Reports](#)

IWT072

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

Right Number: 37-00481C

Name and Address: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

Source: BIG WOOD RIVER Tributary: MALAD RIVER

Quantity: 3.014 CFS

Priority Date: 08-01-1882

Diversion Point: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	3.014 CFS

Place of Use:	Irrigation	Within Blaine County
	T01N R19E S06	NESW 24 LOT 6 (NWSW)33
	LOT 7	(SWSW)12 SESW 39
		SWSE 8.5
	S07	NWNE 31 SWNE 38
		SENE 15 NENW 28
		SENE 5.5 NESE 35
		NWSE 20

289 Acres Total

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

[Return to SRBA IWATRS REPORTS](#)
[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 37-00482H

[Return to SRBA Home Page](#)

[Return to SRBA IWATRS Reports](#)

IWT072

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

Right Number: 37-00482H

Name and Address: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

Source: BIG WOOD RIVER Tributary: MALAD RIVER

Quantity: 3.012 CFS

Priority Date: 08-01-1884

Diversion Point: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	3.012 CFS

Place of Use:	Irrigation	Within Blaine County
	T01N R19E S06	NESW 24 LOT 6 (NWSW)33
	LOT 7	(SWSW)12 SESW 39
		SWSE 8.5
	S07	NWNE 31 SWNE 38
		SENE 15 NENW 28
		SENW 5.5 NESE 35
		NWSE 20
	289 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

[Return to SRBA IWATRS REPORTS](#)
[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 37-00483C

[Return to SRBA Home Page](#)

[Return to SRBA IWATRS Reports](#)

IWT072

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

Right Number: 37-00483C

Name and Address: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

Source: BIG WOOD RIVER Tributary: MALAD RIVER

Quantity: 15.086 CFS

Priority Date: 08-01-1902

Diversion Point: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	15.086 CFS

Place of Use:	Irrigation	Within Blaine County
	T01N R19E S06	NESW 24 LOT 6 (NWSW)33
	LOT 7	(SWSW)12 SESW 39
		SWSE 8.5
	S07	NWNE 31 SWNE 38
		SENE 15 NENW 28
		SENE 5.5 NESE 35
		NWSE 20
	289 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

[Return to SRBA IWATRS REPORTS](#)
[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 37-00577BT

[Return to SRBA Home Page](#)

[Return to SRBA IWATRS Reports](#)

IWT072

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

Right Number: 37-00577BT

Name and Address: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

Source: BIG WOOD RIVER Tributary: MALAD RIVER

Quantity: 2.20 CFS

Priority Date: 03-24-1883

Diversion Point: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	2.20 CFS

Place of Use:	Irrigation	Within Blaine County
	T01N R19E S06	NESW 24 LOT 6 (NWSW)33
	LOT 7	(SWSW)12 SESW 39
		SWSE 8.5
	S07	NWNE 31 SWNE 38
		SENE 15 NENW 28
		SENE 5.5 NESE 35
		NWSE 20
	289 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

[Return to SRBA IWATRS REPORTS](#)
[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 37-02630

[Return to SRBA Home Page](#)

[Return to SRBA IWATRS Reports](#)

IWT072

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

Right Number: 37-02630

Name and Address: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

Source: GROUND WATER

Quantity: 3.75 CFS
1011.50 AFY

Priority Date: 02-02-1960

Diversion Point: T01N R19E S06 NWNSW Within Blaine County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	3.75 CFS
			1011.50 AFY

Place of Use:	Irrigation	Within Blaine County
	T01N R19E S06	NESW 24 LOT 6 (NWSW)33
	LOT 7	(SWSW)12 SESW 39
		SWSE 8.5
	S07	NWNE 31 SWNE 38
		SENE 15 NENW 28
		SENW 5.5 NESE 35
		NWSE 20
	289 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

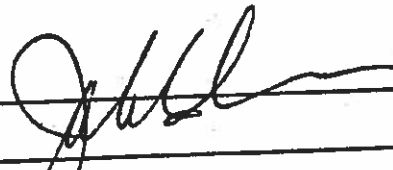
[Return to SRBA IWATRS REPORTS](#)

[Return to SRBA Home Page](#)

Attachment 4

No. W 25422	Due no later than Aug 31, 2010 Annual Report Form		2. Registered Agent and Address (NO PO BOX)					
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			1. Mailing Address: Correct in this box if needed. SOUTH COUNTY ESTATES, L.L.C. JOHN SCHERER PO BOX 2127 KETCHUM ID 83340 USA		JOHN SCHERER 124 DEER VALLEY LANE HAILEY ID 83333			
				3. <u>New</u> Registered Agent Signature: *				
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.								
Office Held	Name	Street or PO Address	City	State	Country	Postal Code		
MEMBER	JOHN SCHERER	PO BOX 1539	KETCHUM	ID	USA	83340		
5. Organized Under the Laws of:		6. Annual Report must be signed.*						
ID W 25422		Signature: John R. Scherer		Date: 06/14/2010				
		Name (type or print): John R. Scherer		Title: Member				
Processed 06/14/2010		* Electronically provided signatures are accepted as original signatures.						

No. W 25422	Due no later than Aug 31, 2009 Annual Report Form		2. Registered Agent and Address (NO PO BOX)																	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			1. Mailing Address: Correct in this box if needed. SOUTH COUNTY ESTATES, LLC. JOHN SCHERER PO BOX 2127 KETCHUM ID 83340 USA		JOHN SCHERER 124 DEER VALLEY LANE HAILEY ID 83333															
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.		<table border="1"> <thead> <tr> <th>Office Held</th><th>Name</th><th>Street or PO Address</th><th>City</th><th>State</th><th>Country</th><th>Postal Code</th></tr> </thead> <tbody> <tr> <td>MEMBER</td><td>JOHN SCHERER</td><td>PO BOX 1539</td><td>KETCHUM</td><td>ID</td><td>USA</td><td>83340</td></tr> </tbody> </table>					Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	JOHN SCHERER	PO BOX 1539	KETCHUM	ID	USA	83340
Office Held	Name	Street or PO Address	City	State	Country	Postal Code														
MEMBER	JOHN SCHERER	PO BOX 1539	KETCHUM	ID	USA	83340														
5. Organized Under the Laws of: ID W 25422	6. Annual Report must be signed.* <table border="0"> <tr> <td>Signature: John R. Scherer</td> <td>Date: 07/15/2009</td> </tr> <tr> <td>Name (type or print): John R. Scherer</td> <td>Title: Managing Member</td> </tr> </table>					Signature: John R. Scherer	Date: 07/15/2009	Name (type or print): John R. Scherer	Title: Managing Member											
Signature: John R. Scherer	Date: 07/15/2009																			
Name (type or print): John R. Scherer	Title: Managing Member																			
Processed 07/15/2009		* Electronically provided signatures are accepted as original signatures.																		

No. W 25422	Due no later than August 31, 2008 Annual Report Form		2. Registered Agent and Office NO PO BOX											
Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address - Correct in this box, if applicable SOUTH COUNTY ESTATES, L.L.C. JOHN SCHERER PO BOX 2127 KETCHUM, ID 83340		JOHN SCHERER 124 DEER VALLEY LANE HAILEY, ID 83333 3. New Registered Agent Signature											
	4. Limited Liability Companies: Enter Names and Addresses of Members. <table border="1"><thead><tr><th><u>Office held</u></th><th><u>Name</u></th><th><u>Street or P.O. Address</u></th><th><u>City</u></th><th><u>State</u></th><th><u>Zip</u></th></tr></thead><tbody><tr><td>MANAGING MEMBER</td><td>JOHN R. SCHERER</td><td>PO Box 1539</td><td>KETCHUM</td><td>ID</td><td>83340</td></tr></tbody></table>			<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	MANAGING MEMBER	JOHN R. SCHERER	PO Box 1539	KETCHUM	ID
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>									
MANAGING MEMBER	JOHN R. SCHERER	PO Box 1539	KETCHUM	ID	83340									
5. Organized Under the Laws of: IDAHO W 25422	6. Signature  Name (Typed or Printed) <u>JOHN SCHERER</u>		Date <u>7/10/08</u> Title <u>MANAGING MEMBER</u> 200808005508											

Issued 06/02/2008

Do Not Tape or Staple

No. W 25422

Return to:

SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FILING FEE IF

RECEIVED BY DUE DATE

Due no later than August 31, 2007

Annual Report Form

1. Mailing Address - Correct in this box, if applicable

SOUTH COUNTY ESTATES, L.L.C.
JOHN SCHERER
PO BOX 2127
KETCHUM, ID 83340

2. Registered Agent and Office NO PO BOX

JOHN SCHERER

500 S MAIN ST STE 204
KETCHUM, ID 83340

124 DEER VALLEY LANE
HAILEY, ID 83333

3. New Registered Agent Signature

4. Limited Liability Companies: Enter Names and Addresses of Members.

Office held

Name

Street or P.O. Address

MANAGING MEMBER
JOHN R SCHERER
PO Box 1539

CITY

KETCHUM

State

ID

Zip

83340

5. Organized Under the Laws of:

IDAHO
W 25422

6.

Signature

Name
(Typed or Printed)

JOHN R. SCHERER

Date

6/25/07

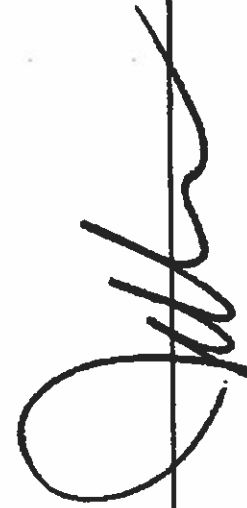
Title

MANAGING MEMBER

Issued 06/01/2007

Do Not Tape or Staple

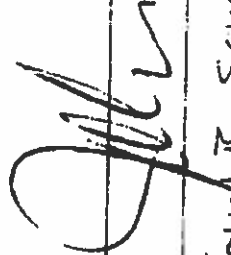
200708005596

No. W 25422	Due no later than August 31, 2006 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Mailing Address - Correct in this box, if applicable SOUTH COUNTY ESTATES, L.L.C. JOHN SCHERER PO BOX 2127 KETCHUM, ID 83340	JOHN SCHERER 500 S MAIN ST STE 204 KETCHUM, ID 83340
NO FILING FEE IF RECEIVED BY DUE DATE		3. <u>New</u> Registered Agent Signature
4. Limited Liability Companies: Enter Names and Addresses of Members.		
<u>Office held</u> MANAGING MEMBER	<u>Name</u> JOHN R. SCHERER	<u>Street or P.O. Address</u> PO BOX 1539
	<u>City</u> KETCHUM	<u>State</u> ID
		<u>Zip</u> 83340
5. Organized Under the Laws of: IDAHO W 25422	6. Signature 	Date 6/18/06
	Name (Typed or Printed) JOHN R. SCHERER	Title MANAGING MEMBER

Issued 06/01/2006

Do Not Tape or Staple

200608000571

No. W 25422	Due no later than August 31, 2005 Annual Report Form		2. Registered Agent and Office NO PO BOX JOHN SCHERER 500 S MAIN ST STE 204 KETCHUM, ID 83340
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1 Mailing Address - Correct in this box, if applicable SOUTH COUNTY ESTATES, L.L.C. JOHN SCHERER PO BOX 2127 KETCHUM, ID 83340		3. New Registered Agent Signature
4. Limited Liability Companies: Enter Names and Addresses of Members.			
Office held MANAGING MEMBER	Name JOHN R. SCHERER	Street or P.O. Address PO BOX 1539	City KETCHUM State ID Zip 83340
5. Organized Under the Laws of: IDAHO W 25422		6. Signature  Name JOHN R. SCHERER (Typed or Printed) Date 6-17-05 Title MANAGING MEMBER	

Issued 06/01/2005

Do Not Tape or Staple

200508000428

No. W 25422	Due no later than August 31, 2004 Annual Report Form	2. Registered Agent and Office NO PO BOX															
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Filing Address: State of Idaho SOUTH COUNTY ESTATES, L.L.C. JOHN SCHERER PO BOX 2127 KETCHUM, ID 83340	JOHN SCHERER 500 S MAIN ST STE 204 KETCHUM, ID 83340															
NO FILING FEE IF RECEIVED BY DUE DATE		3. New Registered Agent Signature															
4. Limited Liability Companies: Enter Names and Addresses of Members. <table border="0"> <tr> <td><u>Office held</u></td> <td><u>Name</u></td> <td><u>City</u></td> <td><u>State</u></td> <td><u>Zip</u></td> </tr> <tr> <td>MANAGING MEMBER</td> <td>JOHN R. SCHERER</td> <td>KETCHUM</td> <td>ID</td> <td>83340</td> </tr> <tr> <td></td> <td>PO BOX 1539</td> <td></td> <td></td> <td></td> </tr> </table>			<u>Office held</u>	<u>Name</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	MANAGING MEMBER	JOHN R. SCHERER	KETCHUM	ID	83340		PO BOX 1539			
<u>Office held</u>	<u>Name</u>	<u>City</u>	<u>State</u>	<u>Zip</u>													
MANAGING MEMBER	JOHN R. SCHERER	KETCHUM	ID	83340													
	PO BOX 1539																
5. Organized Under the Laws of: IDAHO W 25422	6. Signature 	Date 6-10-04 Title Man. Member															

Issued 06/01/2004 Do Not Tape or Staple 2004080312

Attachment 5

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

02/20/2007

RIGHT NUMBER: 37-481C
NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM ID 83340
SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 3.014 CFS
PRIORITY DATE: 08/01/1882
POINT OF DIVERSION: T02N R19E S36 SWNW Within BLAINE County
Water diverted from Headgate #46 delivered through District Canal.

PURPOSE AND PERIOD OF USE:

PLACE OF USE:	PURPOSE OF USE		PERIOD OF USE		QUANTITY
	IRRIGATION		04/15	10/31	3.014 CFS
	<u>IRRIGATION in BLAINE County</u>				
	T01N R19E S06	NESW	24.00	T01N R19E S06 Lot 6 NWSW	33.00
	T01N R19E S06 Lot 7 SWSW		12.00	T01N R19E S06	SESW 39.00
	T01N R19E S06	SWSW	8.50	T01N R19E S07	NWSE 31.00
	T01N R19E S07	SWSE	38.00	T01N R19E S07	SESE 15.00
	T01N R19E S07	NENW	28.00	T01N R19E S07	SESW 5.50
	T01N R19E S07	NESSE	35.00	T01N R19E S07	NWSE 20.00

289 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577ET, and 37-2630.

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

EXHIBIT A
1 of 5

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

02/20/2007

RIGHT NUMBER: 37-577BT
NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM ID 83340
SOURCE: BIG WOOD RIVER
QUANTITY: 2.200 CFS
PRIORITY DATE: 03/24/1883
POINT OF DIVERSION: T02N R18E S36 SWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.
TRIBUTARY: MALAD RIVER

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2.200 CFS
PLACE OF USE: IRRIGATION in BLAINE County		
T01N R19E S06 NWSW	24.00	T01N R19E S06 Lot 6 NWSW 33.00
T01N R19E S06 Lot 7 SWSW	12.00	T01N R19E S06 SESW 39.00
T01N R19E S06 SWSE	8.50	T01N R19E S07 NWNE 31.00
T01N R19E S07 SWNE	38.00	T01N R19E S07 SENE 15.00
T01N R19E S07 NENW	28.00	T01N R19E S07 SENW 5.50
T01N R19E S07 NESE	35.00	T01N R19E S07 NWSE 20.00
289 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

EXHIBIT A
2-45

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

02/20/2007

RIGHT NUMBER: 37-482H
NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1535
KETCHUM ID 83340
SOURCE: BIG WOOD RIVER
QUANTITY: 3.012 CFS
PRIORITY DATE: 08/01/1884
POINT OF DIVERSION: T02N R18E S36 SWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

TRIBUTARY: MALAD RIVER

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	3.012 CFS
PLACE OF USE: IRRIGATION in BLAINE County		
T01N R19E S06 NESE	24.00	T01N R19E S06 Lot 6 NWSW 33.00
T01N R19E S06 Lot 7 SWSE	12.00	T01N R19E S06 SESE 39.00
T01N R19E S06 SWSE	8.50	T01N R19E S07 NWSE 31.00
T01N R19E S07 SWSE	38.00	T01N R19E S07 SESE 15.00
T01N R19E S07 NENE	28.00	T01N R19E S07 SESE 5.50
T01N R19E S07 NESE	35.00	T01N R19E S07 NWSE 20.00
289 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

EXHIBIT A
3 of 5

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

02/20/2007

RIGHT NUMBER: 37-483C
NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM ID 83340
SOURCE: BIG WOOD RIVER
QUANTITY: 15.086 CFS
PRIORITY DATE: 08/01/1902
POINT OF DIVERSION: T02N R18E S36 SWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.
TRIBUTARY: MALAD RIVER

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	15.086 CFS
PLACE OF USE: IRRIGATION in BLAINE County		
T01N R19E S06 NWSW	24.00	T01N R19E S06 Lot 6 NWSW 33.00
T01N R19E S06 Lot 7 SWNW	12.00	T01N R19E S06 SESE 39.00
T01N R19E S06 SWSE	8.50	T01N R19E S07 NWSE 31.00
T01N R19E S07 SWNE	38.00	T01N R19E S07 SESE 15.00
T01N R19E S07 NENW	28.00	T01N R19E S07 SENW 5.50
T01N R19E S07 NESE	35.00	T01N R19E S07 NWSE 20.00
289 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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

EXHIBIT A
4 of 5

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

02/20/2007

RIGHT NUMBER: 37-2630

NAME AND ADDRESS: SOUTH COUNTY STATES LLC
PO BOX 1539
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.750 CFS
1,011.50 AFY

PRIORITY DATE: 02/02/1960

POINT OF DIVERSION: T01N R19E S6 NW1/4SW Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

3.750 CFS
1,011.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S06	NESW	24.00	T01N R19E S06 Lot 6 NWSW	33.00
T01N R19E S06 Lot 7 SWSW		12.00	T01N R19E S06	39.00
T01N R19E S06	SWSW	6.50	T01N R19E S07	31.00
T01N R19E S07	SWNE	38.00	T01N R19E S07	15.00
T01N R19E S07	NENW	28.00	T01N R19E S07	5.50
T01N R19E S07	NESE	35.00	T01N R19E S07	20.00

289 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482E, 37-481C, 37-483C, 37-5778T, and 37-2630.

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 - License

EXHIBIT A
5 of 5

Attachment 6

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

Fifth Judicial District
County of Twin Falls - State of Idaho

JUL - 9 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)
) AMENDED SPECIAL MASTER'S
) REPORT AND RECOMMENDATION;
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) WATER RIGHT NOS.: 37-481C, 37-
) 482H, 37-483C, 37-577BT, and 37-2630

I. FINDINGS OF FACT

A *Special Master's Report and Recommendation* was issued on June 28, 2010. The Court erroneously attached a copy of a recommendation for water right 37-418C instead of 37-481C. This *Amended Special Master Report and Recommendation* now correctly attaches a recommendation for 37-481C. No other changes were made.

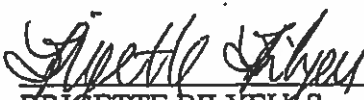
A claim was filed for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by Tom O'Gara, John F. Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, Pepin Corso-Harris, (hereafter "Concerned Water Users") and the Big Wood Canal Company. A *Notice of Withdrawal of Objections* was filed by the Concerned Water Users and the Big Wood Canal Company on January 11, 2008. A hearing was held on February 25, 2008. There was no opposition to the withdrawal of these *Objections*. There are no unresolved objections remaining in these subcases.

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 Recommendation for Partial Decrees*.

DATED: July 9, 2010.


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

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

JUL - 9 2010

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00481C

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.014 CFS

PRIORITY DATE: 08/01/1982

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

RECEIVED
JUL 12 2010
DEPARTMENT OF
WATER RESOURCES

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.014 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSN) 33.0
	LOT 7 (SWSN) 12.0	SESW 39.0
	SWSE 8.5	
	S07	NWNE 31.0
		SWNE 38.0
		NENW 28.0
		SENE 15.0
		SENE 5.5
		NESE 35.0
		NWSE 20.0
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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.

RECOMMENDATION

JUL 09 2010

Eric J. Wildman
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

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

JUL - 9 2010

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00482H

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.012 CFS

PRIORITY DATE: 08/01/1884

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

Water diverted from Headgate #45 delivered through District
Canal.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.012 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSW) 33.0
	LOT 7 (SWSW) 12.0	SESW 39.0
	SWSE 8.5	
	S07 NWNE 31.0	SWNE 38.0
	SENE 15.0	NENW 28.0
	SENE 5.5	NESE 35.0
	NWSE 20.0	
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 289 acres in a single irrigation season.
Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and
37-2630.

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.

RECOMMENDATION

JUL 09 2010

Brigette Silvey
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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL - 9 2010
By _____ Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00483C

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 15.086 CFS

PRIORITY DATE: 08/01/1902

POINT OF DIVERSION: T02N R18E S36 S36W Within Blaine County

Water diverted from Headgate #43 delivered through District Canal.

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	15.086 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06 LOT 7	(NWSW) 33.0 SESW 39.0
	S07	SWNE 38.0 NENW 28.0 NESE 35.0 NWSE 20.0
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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.

RECOMMENDATION
JUL 09 2010
<i>Bugello Silver</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

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

JUL - 9 2010

By _____ Clerk
Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00577BT

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.20 CFS

PRIORITY DATE: 03/24/1983

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 2.20 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R19E S06	NESW 24.0	LOT 6	(NWSW) 33.0
LOT 7	(SWSW) 12.0		SESW 39.0
	SWSE 8.5		
S07	NWNE 31.0		SWNE 38.0
	SENE 15.0		NENW 28.0
	SENE 5.5		NESE 35.0
	NWSE 20.0		

289.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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.

RECOMMENDATION

JUL 09 2010

Bigelow Silvey
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

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

JUL - 9 2010

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02630

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: SOUTH COUNTY ESTATES LLC
PO BOX 1539
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 3.75 CFS
1011.50 AFY

PRIORITY DATE: 02/02/1960

POINT OF DIVERSION: T01N R19E S06 NWNWSW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.75 CFS 1011.50 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S06	LOT 6 (NWSW) 33.0
	LOT 7 (SWSW) 12.0	SESW 39.0
	S07	SWSE 8.5
		NWNE 31.0
		SENE 15.0
		SENE 5.5
		NWSE 20.0
		NESE 35.0
	289.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 289 acres in a single irrigation season. Combined Right Nos.: 37-482H, 37-481C, 37-483C, 37-577BT, and 37-2630.

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.

RECOMMENDATION

JUL 09 2010

Bigella Lilley
SPECIAL MASTER

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

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL - 9 2010
By _____ 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)
_____)

Amended NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 37-00481C
37-00482H 37-00483C 37-00577BT
37-02630

On July 09, 2010, 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 July 09, 2010.


JANET CONNELL
Deputy Clerk

RECEIVED

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL - 9 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-00481C
37-00482H 37-00483C 37-00577BT
37-02630

CERTIFICATE OF MAILING

AMENDED

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 July 09, 2010, with sufficient first-class postage prepaid to the following:

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

SOUTH COUNTY ESTATES LLC

Represented by:

JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

CERTIFICATE OF MAILING

Jane Connell PAGE 1
JANET CONNELL 07/09/10
Deputy Clerk