

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 1 2012	
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 37-04016
	)	(Lane Ranch Homeowners Assn. Inc.)
_____	)	

On March 16, 2012, 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 May 1, 2012



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 37-04016

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

MAY - 1 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: LANE RANCH HOMEOWNERS ASSN INC
C/O SUSAN MCBRYANT, MANAGER
PO BOX 1675
SUN VALLEY, ID 83353

SOURCE: ELKHORN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 10.00 CFS
17.00 AFY

This right shall be considered for the one-time spring fill of the associated 19 ponds with a total volume of 17 acre-feet. The total volume of water authorized for diversion and use pursuant to right nos. 37-82, 37-2635, 37-4016 and 37-7201 is limited to 315 acre feet. The volumetric limitation shall not begin to accrue, however, until: 1) All rights on Elkhorn Creek cannot be satisfied by the watermaster of Water District 37, Big Wood River, and 2) The owner of the rights approved by Transfer No. 3609 demands release of water from upstream users.

PRIORITY DATE: 04/01/1949

Diversion of water pursuant to right nos. 37-82, 37-2635, 37-4016 and 37-7201 during the nonirrigation season is subject to any minimum stream flows established in the Big Wood River with later dates of priority.

POINT OF DIVERSION: T04N R18E S19 NESESE Within Blaine County
NESESE
NESESE
SESESE
SESESE
SESESE
S20 SENWSW
SWNWSW
SWNWSW
SWNWSW
S30 NENENE
NENENE
NENENE
NENENE
SENENE
SENENE
SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife Storage	01-01 TO 12-31	17.00 AFY
	Recreation Storage	01-01 TO 12-31	17.00 AFY
	Aesthetic Storage	01-01 TO 12-31	17.00 AFY
	Diversion to Storage	01-01 TO 12-31	10.00 CFS

PLACE OF USE:	Wildlife Storage	Within Blaine County
	T04N R18E S19	NESE
	S20	NWSW
	S30	NENE
	Recreation Storage	Within Blaine County

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

PLACE OF USE (continued)

T04N R18E S19	NESE	SESE
S20	NWSW	
S30	NENE	
Aesthetic Storage		Within Blaine County
T04N R18E S19	NESE	SESE
S20	NWSW	
S30	NENE	

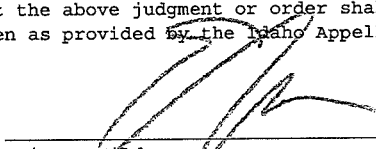
The uses of Wildlife Storage, Recreation Storage and Aesthetic Storage are associated and used in 19 ponds. (15 are onstream ponds on Elkhorn Creek and 4 are offstream ponds that are supplied water from Elkhorn Creek.)

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

2012 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 37-04016

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 37-04016 was mailed
on May 01, 2012, with sufficient first-class postage prepaid
to the following:

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

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

Represented by:
ALBERT P BARKER
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Phone: 208-336-0700

BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

LANE RANCH HOMEOWNERS ASSN INC

Represented by:
JOHN E. ROBERTSON
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-933-0700

JULIE MURPHY
Chief Deputy Clerk