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MAY 02 2012

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

Case No. 39576

ORDER OF PARTIAL DECREE

Subcase No. 37-00081

(Idaho Foundation for Parks & Lands Inc. /
Lane Ranch Homeowners Assn. Inc.)

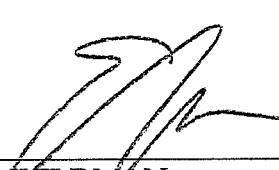
On March 16, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 Re SRBA) PARTIAL DECREE PURSUANT TO
)
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00081

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PLACE OF USE (continued)

	S30	NENE	
Wildlife Storage			Within Blaine County
T04N R18E S19		SESE	
S30		SENE	
Recreation			Within Blaine County
T04N R18E S19		NESE	SESE
S30		NENE	
Recreation Storage			Within Blaine County
T04N R18E S19		SESE	
S30		SENE	
Aesthetic			Within Blaine County
T04N R18E S19		NESE	SESE
S30		NENE	
Aesthetic Storage			Within Blaine County
T04N R18E S19		SESE	
S30		SENE	

This right is limited to the irrigation of 23.3 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 23.3 acres in a single irrigation season. Combined Right Nos.: 37-81, 37-82, and 37-2635.

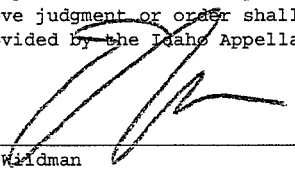
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Prior to diversion of water, flow measuring devices as specified by the department &/or watermaster shall be installed by the right holder at the following locations: a) at the point where water is diverted from the Big Wood River and rediverted from Elkhorn Creek and b) at a point on the downstream side of the bridge over Elkhorn Creek where water diverted under right nos. 37-81, 37-82, 37-2635, 37-4016 and 37-7201 flows out of the pond or wetland area subject of Transfer No. 3881 located in the NESENE S30 T04N, R18E. Flows for recreation, wildlife and aesthetics uses are those which are diverted and used in man made amenities within the subdivision exclusive of the man altered Elkhorn Creek channel. Note that these waters are injected into Elkhorn Creek channel and conveyed for redirection in man made recreation, wildlife and aesthetic amenities.

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): 37-00081

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 37-00081 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
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LANE RANCH HOMEOWNERS ASSN INC

Represented by:

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JULIE MURPHY

Chief Deputy Clerk