

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 2 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 DECREES
)
) Subcase Nos. 37-02736A & 37-13270A
)
)
)

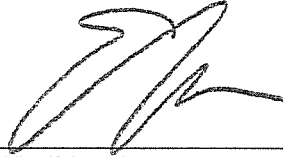
On December 29, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. The *Special Master's Report and Recommendation* was entered pursuant to *Standard Form 5's* filed by the parties with respect to the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation*. However, on January 3, 2012, the Clerk of the Court received correspondence from counsel for the claimant of the above-captioned water rights notifying the Court that the *Special Master's Report and Recommendation* for water right claim 37-2736A did not accurately reflect the *Standard Form 5* with respect to the point of diversion element. Specifically, the *Standard Form 5* reflected one of the points of diversions as "T01N R13E S32 NWNENE Rediversion Within CAMAS County," while the *Special Master's Report and Recommendation* identified that same point of diversion as "T01N R13E S32 NWNENE Within CAMAS County," erroneously omitting the term "Rediversion." This Court finds the omission to be the result of a clerical error, and as a result, the Court will partially decree water right 37-2736A in accordance with the *Standard Form 5*.

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, save that the *Partial Decree* for water right 37-2736A shall be issued in accordance with the *Standard Form 5* filed for that

water right in order to remedy the above-mentioned clerical error in the *Special Master's Report and Recommendation*

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

Dated ⁹February 2, 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 37-02736A

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

FEB - 2 2012

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: SMOKEY DOME LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK
EAST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK
WEST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK

Point of injection into and point of redirection from Lansing
Creek.

QUANTITY: 2.52 CFS

Rights 37-463A and 37-2736A when combined shall not exceed the
total annual maximum diversion volume of 834.4 af at the field
headgate nor the irrigation of 238.4 acres.
Rights 37-35A, 37-454A, 37-463A, 37-463C, 37-728A, 37-2139A,
37-2736A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A
and 37-13271A when combined shall not exceed a total diversion
rate of 23 cfs and a total annual maximum diversion volume of
4,031.3 af at the field headgate.
This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 3.5 afa per acre at the
field headgate for irrigation of the lands herein.

PRIORITY DATE: 05/26/1966

POINT OF DIVERSION: T01N R13E S17 SWSWSW Within Camas County
S18 SESESE
S20 NENESE
S21 SWNNWN
NWSESW (Injection)
S28 NWNWNW (Rediversion)
S29 SENENE (Rediversion)
SESENW
SENE (Rediversion)
S32 NWNENE (Rediversion)
NENENW
NENESE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.52 CFS

PLACE OF USE:	Irrigation	Within Camas County
T01N R13E S28	SWSW 4.4	
S29	SESE 4.0	
S32	NENE 40.0	SENE 40.0
	NESE 40.0	SESE 40.0
S33	NWNW 30.0	SWNW 40.0
238.4 Acres Total		

This right is limited to the irrigation of 238.4 acres within
the authorized place of use in single irrigation season.

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

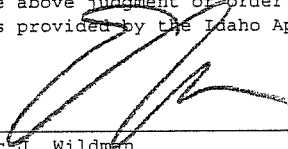
OTHER PROVISIONS (continued)

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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.

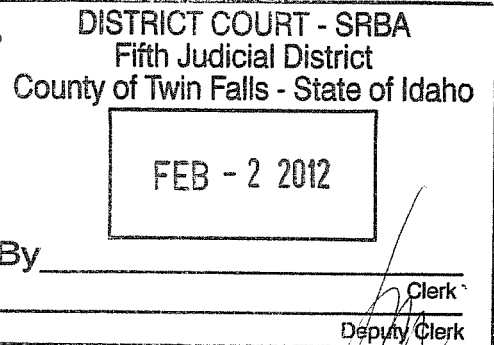


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 37-13270A



NAME AND ADDRESS: SMOKEY DOME LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK
EAST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK
WEST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK

Point of injection into and point of redirection from Lansing
Creek.

QUANTITY: 5.48 CFS

Rights 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-2736,
37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A when
combined shall not exceed the total annual maximum diversion
volume of 3196.9 af at the field headgate nor the irrigation of
913.4 acres.

Rights 37-35A, 37-454A, 47-463A, 47-463C, 37-728A, 37-2139A,
37-2736A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A
and 37-13271A when combined shall not exceed a total diversion
rate of 23 cfs and a total annual maximum diversion volume of
4031.3 af at the field headgate.

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 3.5 afa per acre at the
field headgate for irrigation of the lands herein.

PRIORITY DATE: 05/26/1966

POINT OF DIVERSION: T01N R13E S17 SWSWSW Within Camas County
S18 SESESE
S20 NENESE
S21 SWNWNW
NWSESW (Injection)
S28 NWNWNW (Rediversion)
S29 SENENE (Rediversion)
SESENW
SENE (Rediversion)
S32 NWNENE (Rediversion)
NENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	5.48 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S20	SWNE 2.3 NENW 12.0 NWNW 14.0 SENW 30.0 NESW 17.0 SESW 3.5 NESE 30.0 NWSE 35.0 SWSE 34.0 SESE 40.0 S21 SWNW 12.0 SENW 6.6 NESW 14.0 NWSW 20.0 SWSW 39.0 SESW 4.8 S28 NWNW 19.0 NEWW 12.0 S29 NENE 39.0 NWNW 39.0 SWNE 40.0 SENE 20.0

PLACE OF USE (continued)

	NENW 0.7	SEnw 25.0
	NESW 40.0	NWSW 4.1
	SWSW 27.0	SESW 40.0
	NESE 21.0	NWSE 40.0
	SWSE 40.0	SESE 9.8
S31	NENE 2.5	SENE 7.1
S32	NWNE 34.0	NENW 40.0
	NWNW 38.0	SWNW 40.0
	SEnw 21.0	

913.4 Acres Total

This right is limited to the irrigation of 519.6 acres within the authorized place of use in a single irrigation season.

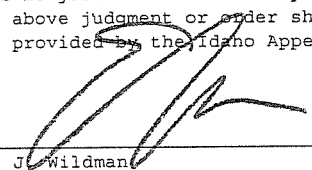
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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 February 02, 2012, with sufficient first-class postage to the following:

SMOKEY DOME 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