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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 31 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. 37-00728A
	)	(Smokey Dome LLC)
_____	)	

On December 29, 2011, 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 January 31, 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 37-00728A

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

JAN 31 2012

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

SOURCE: EAST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK

QUANTITY: 1.43 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T01N R13E S20 NENESE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.43 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	NENW 12.0 NWNW 19.0
	S29	NENE 39.0 NWNE 39.0
		SWNE 40.0 SENE 20.0
		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
		SENE 21.0
	913.4 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 913.4 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

This right is limited to the irrigation of 107.6 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 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.

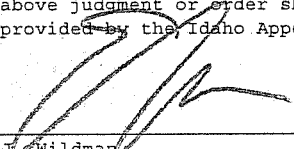
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 JAN 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHC
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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-00728A

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 37-00728A was mailed
on January 31, 2012, with sufficient first-class postage prepaid
to the following:

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

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

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

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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