

RECEIVED

MAY 03 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 2 2011	
By _____	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

Subcases: 37-21665, 37-21672, 37-21681,
37-21690, 37-21699 and 37-21708
(Smith)

On March 3, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED May 2, 2011.


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 37-21665

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In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-21672

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

MAY - 2 2011

By _____ Clerk

Deputy Clerk

QUANTITY: 0.13 CFS

The rights listed below 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 in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 04-15 TO 10-31	QUANTITY 0.13 CFS
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PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S07	SWSE 8.1
	8.1 Acres Total	

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 acres in a single irrigation season.

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 Re SRBA)
)
Case No. 39576)
)

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

MAY - 2 2011

By _____

Clerk
Deputy Clerk

an 0.02 cfs per

QUANTITY: 0.008 CFS

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S07	SWSE 8.1
	8.1 Acres Total	

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

RULE 54 (b) CERTIFICATE

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

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-21690

NAME AND ADDRESS: BRIAN L SMITH
 DIANE STEFFEY-SMITH
 PO BOX 5326
 KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.08 CFS

PRIORITY DATE: 09/18/1885

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S07	SWSE 8.1
	8.1 Acres Total	

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

RULE 54 (b) CERTIFICATE

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

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-21699

NAME AND ADDRESS: BRIAN L SMITH
DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.008 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S07	SWSE 8.1
	8.1 Acres Total	

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

RULE 54 (b) CERTIFICATE

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-21708

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

MAY - 2 2011

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: BRIAN L SMITH
DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM, ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.19 CFS

The rights listed below 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 in the place of use. Combined Right Nos.
37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION: T02N R18E S36 NESWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.19 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R19E S07 SWSE 8.1
8.1 Acres Total

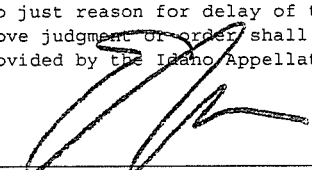
Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and
37-21708 are limited to the irrigation of a combined total of
8.1 acres in a single irrigation season.

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 May 02, 2011, with sufficient first-class postage to the following:

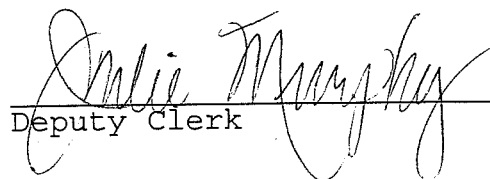
BIG WOOD CANAL COMPANY

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

BRIAN L SMITH
DIANE STEFFEY-SMITH

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".