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MAR 31 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 30 2011	
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. 37-00894B
	)	(Big Wood Golf Course LLC)
_____	)	

On February 25, 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 March 30, 2011.



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 37-00894B

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

MAR 30 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS:

BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY, ID 83353

SOURCE:

BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY:

3.18 CFS
349.90 AFY

Right Nos. 37-158C, 37-276B and 37-894B are limited to a total
combined annual diversion volume of 349.9 AF.
Storage capacity 49.9 AF.

PRIORITY DATE:

09/01/1920

Pursuant to a call in times of scarcity, this right is senior to
all other rights that did not result from developed/saved water
in the Big Wood River, as established by and subject to the
provisions included within In Re Upper Big Wood River Water Users
Assn, et. al., plaintiff vs. S.H. Chapman, Watermaster,
defendant in the District Court of Lincoln County dated
8/28/1922.

POINT OF DIVERSION:

T04N R17E S01 NENWSE Within Blaine County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	04-15 TO 10-31	31.80 AFY
Irrigation from Storage	04-15 TO 10-31	300.00 AFY
Aesthetic Storage	01-01 TO 12-31	49.90 AFY
Recreation Storage	01-01 TO 12-31	49.90 AFY
Diversion to Storage	04-15 TO 10-31	3.18 CFS

PLACE OF USE:

Irrigation Storage Within Blaine County
T04N R17E S01 SESE

Irrigation from Storage Within Blaine County
T04N R17E S01 NESE 1.0 SESE 19.0
S12 NENE 17.0 SENE 13.0
NESE 11.0 SESE 9.0
R18E S06 LOT 7 (SWSW) 0.7
S07 LOT 3 (NWSW) 4.0 LOT 4 (SWSW) 11.0
85.7 Acres Total

Recreation Storage Within Blaine County
T04N R17E S01 SESE
S12 NENE SENE
NESE SESE
R18E S06 LOT 7 (SWSW)
S07 LOT 2 (SNNW)

Aesthetic Storage Within Blaine County
T04N R17E S01 SESE
S12 NENE SENE
NESE SESE
R18E S06 LOT 7 (SWSW)
S07 LOT 2 (SNNW)

PLACE OF USE (continued)

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season.
Combined Right Nos.: 37-158C, 37-274, 37-276B and 37-894B.

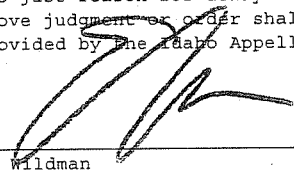
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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

2011 MAR 30 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): 37-00894B

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 37-00894B was mailed
on March 30, 2011, 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
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
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

BIG WOOD GOLF COURSE LLC

Represented by:

HAEMMERLE, FRITZ X.

PO BOX 1800

HAILEY, ID 83333

Phone: 208-578-0520

BIGWOOD PROPERTY OWNERS

Represented by:

JAMES P. SPECK

SPECK & AANESTAD

120 EAST AVENUE

PO BOX 987

KETCHUM, ID 83340

Phone: 208-726-4421

JULIE MURPHY

Chief Deputy Clerk