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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR - 7 2011	
By _____	Clerk
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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

) For Water Right: 37-00409A
) (Diamond/Soldier Properties LLC)
)

On January 10, 2011, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended 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 *Amended 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 7, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-00409A

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

MAR - 7 2011

NAME AND ADDRESS: DIAMOND/SOLDIER PROPERTIES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: EAST FORK THREEMILE CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 2.85 CFS

PRIORITY DATE: 04/01/1907

POINT OF DIVERSION: T01N R13E S23 NENWNE Within Camas County

By _____
Clerk
Deputy Clerk

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	2.85 CFS
Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE:

	Irrigation		Within Camas County
T01N R13E S22	NENE 14.0	NWNE	9.4
	SWNE 22.0	SENE	40.0
	NESE 40.0	NWSE	12.0
	SESE 37.0		
S23	NENW 22.0	NWNW	10.0
	SWNW 40.0	SENE	20.0
	NESW 20.0	NWSW	40.0
	SWSW 40.0	SESE	28.0
S26	NENW 4.2	NWNW	33.0
	SWNW 17.0		
S27	NENE 37.0	SENE	30.0
515.6 Acres Total			
Stockwater			Within Camas County
T01N R13E S22	NENE	NWNE	
	SWNE	SENE	
	NESE	NWSE	
	SESE		
S23	NENW	NWNW	
	SWNW	SENE	
	NESW	NWSW	
	SWSW	SESE	
S26	NENW	NWNW	
	SWNW		
S27	NENE	SENE	

This right is limited to the irrigation of 94.3 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 515.6 acres in a single irrigation season. Combined Right Nos.: 37-368A, 37-409A, 37-2076A, 37-2455 & 37-2157.

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. 1A. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this

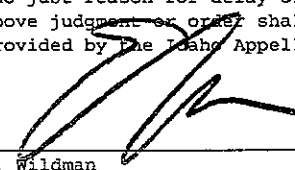
OTHER PROVISIONS (continued)

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 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

2011 MAR 07 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-00409A

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 37-00409A was mailed
on March 07, 2011, with sufficient first-class postage prepaid
to the following:

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

DIAMOND/SOLDIER PROPERTIES LLC

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

CERTIFICATE OF MAILING

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