

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 37-21940

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

NOV 12 2009

Clerk
Deputy Clerk

NAME AND ADDRESS: SCI PROPERTIES LLC
C/O FREMONT PROPERTIES INC
ATTN J MARCUS BOMAN
199 FREMONT ST STE 2400
SAN FRANCISCO, CA 94105

SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.18 CFS
261.30 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-21942 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1188 AF.
USE OF THIS RIGHT WITH RIGHT NO. 37-21938 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 261.3 AF.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 674 AF. COMBINED RIGHT NOS.:
37-21936, 37-21938 & 37-21940.

PRIORITY DATE: 05/31/1890

POINT OF DIVERSION: T01S R20E S26 NESWSE Within Blaine County
S35 NENENE
S36 SWNWNW
SWSSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.13 CFS 253.90 AFY
	Mitigation	04-15 TO 10-31	0.05 CFS 7.40 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R20E S26	SESW 2.0 SESE 18.5 SWSE 24.7
	S35	NENE 14.6 NENE 0.4 NWNE 1.0
	S36	NWNE 5.4 SENE 7.0 SWNE 34.0 NENW 25.0 NWNW 35.0 SWNW 15.6 SENE 32.0
	215.2 Acres Total	

Mitigation	Within Blaine County
T01S R20E S26	SWSE

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 192 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-21936, 37-21938 &
37-21940.

USE OF THIS RIGHT WITH RIGHT NO. 37-21942 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 392.7 ACRES IN A SINGLE
IRRIGATION SEASON.

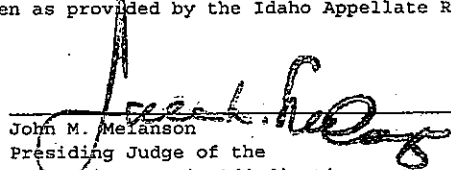
USE OF THIS RIGHT WITH RIGHT NO. 37-21938 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION
SEASON.

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

NOV 16 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 12 2009	
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

No. 39576

) ORDER OF PARTIAL DECREE

) Subcase No. 37-21940
) (SCI Properties LLC)
)

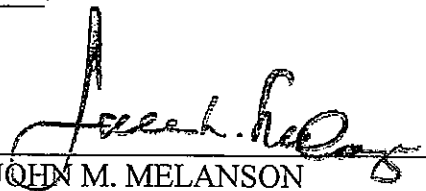
On August 24, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

November 12, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2009 NOV 12 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): 37-21940

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 37-21940 was mailed
on November 12, 2009, with sufficient first-class postage prepaid
to the following:

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

SCI 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

In Re SRBA

Case No. 39576

Water Right 37-21941

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

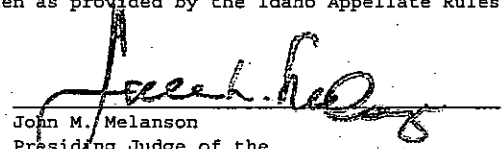
SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.02 CFS
4.70 AFY

PAGE 1
Aug-21-2009

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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NOV 16 2009

DEPARTMENT OF
WATER RESOURCES

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

NOV 12 2009

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

Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

Subcase No. 37-21941
(USDI-BLM)

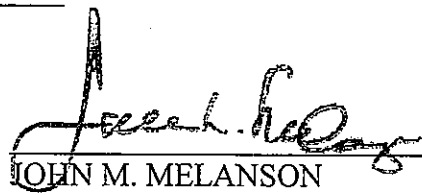
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Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

November 12, 2009



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2009 NOV 12 PM 02:00
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In Re SRBA)

Case No. 39576)
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CERTIFICATE OF MAILING

Water Right(s): 37-21941

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on November 12, 2009, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET; MSC 033
BOISE, ID 83724

JULIE MURPHY
Chief Deputy Clerk