

RECEIVED

OCT 01 2010

Department of Water Resources

DISTRICT COURT	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 30 2010	
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

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 73-00147A, 73-02165 & 73-12110
(Flying Joseph Ranch LLC)

On August 10, 2010, 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)*.

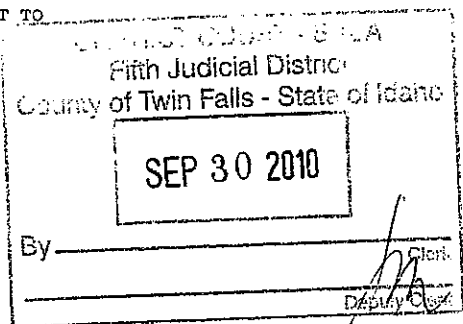
DATED September 30, 2010.


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 73-00147A



NAME AND ADDRESS: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 4.40 CFS

The appropriator is entitled to the quantity of water described
above at the following points of measurment:

T13N, R22E, S13, SWNW
T13N, R22E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW

PRIORITY DATE: 04/25/1886

POINT OF DIVERSION: T13N R23E S02 NESW Within Custer County
S20 SESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.40 CFS

PLACE OF USE:	Irrigation		Within Custer County
	T13N R22E S01	SWNW 19.0	NWSW 35.0
		SWSW 41.0	
	S02 LOT 1	(NENE) 31.0	LOT 2 (NWNE) 9.6
		SWNE 8.3	SENE 40.0
		NESE 40.0	SESE 40.0
	S11	NENE 37.0	SENE 33.0
		NESE 27.0	SESE 29.0
	S12	NWNE 0.5	SWNE 23.0
		NENW 2.6	NWNW 41.0
		SWNW 40.0	SENE 1.1
		NESW 41.0	NWSW 31.0
		SWSW 30.0	SESE 37.0
		NWSE 41.0	SWSE 39.0
	S13	NWNE 23.0	SWNE 12.0
		NENW 15.0	NWNW 37.0
		SWNW 9.9	SENE 16.0
		NESW 0.2	SWSW 9.8
		NWSE 23.0	SESE 34.0
	S14	NENE 17.0	SENE 21.0
		NESE 36.0	NWSE 20.0
		SWSE 31.0	SESE 37.0
	S23	NENE 40.0	NWNE 37.0
		SWNE 23.0	SENE 40.0
		NESE 12.0	
	S24	NENE 8.0	NWNE 0.5
		SWNE 30.0	SENE 12.0
		NENW 19.0	NWNW 40.0
		SWNW 40.0	SENE 40.0
		NESW 37.0	NWSW 28.0
		NESE 39.0	NWSE 39.0
	R23E S18 LOT 4	(SWSW) 25.0	
	S19	NWNE 25.0	SWNE 39.0

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

PLACE OF USE (continued)

	SENE 27.0		NENW 39.0
LOT 1	(NWNW) 36.0	LOT 2	(SWNW) 7.8
	SENE 38.0		NESW 28.0
LOT 3	(NWSW) 29.0	LOT 4	(SWSW) 25.0
	SESW 40.0		NESE 39.0
	NWSE 40.0		SWSE 40.0
	SESE 35.0		
S20	NWSW 27.0		
S29	NWNW 37.0		SWNW 40.0
	NWSW 28.0		
S30	NENE 40.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
	NENW 40.0	LOT 1	(NWNW) 25.0
2413.3 Acres Total			

This right is limited to the irrigation of 220 acres within the place of use described above in a single irrigation season. Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 are limited to the irrigation of a combined total of 2413.3 acres in a single irrigation season.

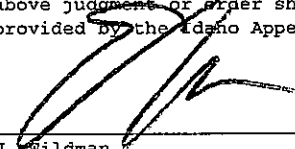
Place of use does not include federal public lands.

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

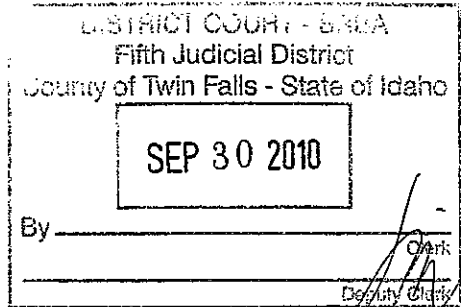
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 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 73-02165



NAME AND ADDRESS: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

SOURCE: GROUND WATER

QUANTITY: 2.05 CFS
874.20 AFY

PRIORITY DATE: 09/23/1966

POINT OF DIVERSION: T13N R22E S13 NENW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.05 CFS 874.20 AFY

PLACE OF USE:	Irrigation	Within Custer County
	T13N R22E S01	SWSW 40.0
	S02	SESE 28.0
	S11	NENE 37.0
		NESE 25.0
	S12	NWNW 40.0
		NWSW 24.0
		SESW 2.0
	294.0 Acres Total	

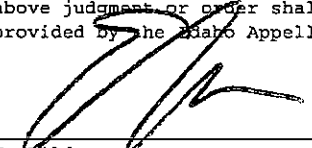
Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259,
73-2165, 73-10040, 73-10041 and 73-12110 are limited to the
irrigation of a combined total of 2413.3 acres in a single
irrigation season.

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).

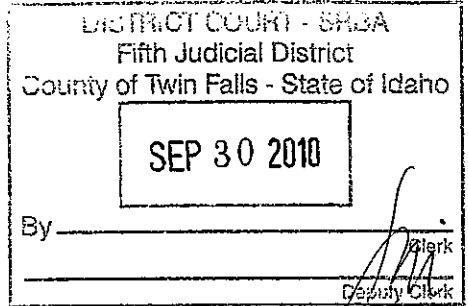
RULE 54(b) CERTIFICATE

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 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 73-12110



NAME AND ADDRESS: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

Point of injection into Goldberg Creek. Point of redirection
from Pahsimeroi River.

QUANTITY: 32.80 CFS

PRIORITY DATE: 04/01/1969

POINT OF DIVERSION: T13N R23E S13 NENW Within Custer County
S20 SESW (Rediversion)
S27 SESW (Injection)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	32.80 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T13N R22E S01	NWSW 35.0
		SWSW 41.0
	S02 LOT 1	(NENE) 31.0 LOT 2 (NWNE) 9.6
		SWNE 8.3 SENE 40.0
		NESE 40.0 SESE 40.0
	S11	NENE 37.0 SENE 33.0
		NESE 27.0 SESE 29.0
	S12	NWNE 0.5 SWNE 23.0
		NENW 2.6 NWNW 41.0
		SWNW 40.0 SENW 1.1
		NESW 41.0 NWSW 31.0
		SWSW 30.0 SESW 37.0
		NWSE 41.0 SWSE 39.0
	S13	NWNE 23.0 SWNE 12.0
		NENW 15.0 NWNW 37.0
		SWNW 9.9 SENW 16.0
		NESW 0.2 SWSW 9.8
		NWSE 23.0 SESE 34.0
	S14	NENE 17.0 SENE 21.0
		NESE 36.0 NWSE 20.0
		SWSE 31.0 SESE 37.0
	S23	NENE 40.0 NWNE 37.0
		SWNE 23.0 SENE 40.0
		NESE 12.0
	S24	NENE 8.0 NWNE 0.5
		SWNE 30.0 SENE 12.0
		NENW 19.0 NWNW 40.0
		SWNW 40.0 SENW 40.0
		NESW 37.0 NWSW 28.0
		NESE 39.0 NWSE 39.0
	R23E S18 LOT 4	(SWSW) 25.0
	S19	NWNE 25.0 SWNE 39.0
		SENE 27.0 NENW 39.0
	LOT 1	(NWNW) 36.0 LOT 2 (SWNW) 7.8
		SENW 38.0 NESW 28.0

PLACE OF USE (continued)

	LOT 3	(NWSW) 29.0	LOT 4	(SWSW) 25.0
		SESW 40.0		NESE 39.0
		NWSE 40.0		SWSE 40.0
		SESE 35.0		
	S20	NWSW 27.0		
	S29	NWNW 37.0		SWNW 40.0
		NWSW 28.0		
	S30	NENE 40.0		NWNE 40.0
		SWNE 40.0		SENE 40.0
		NENW 40.0	LOT 1	(NWNW) 25.0
	2413.3	Acres Total		

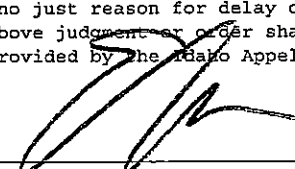
Place of use does not include federal public lands.
Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259,
73-2165, 73-10040, 73-10041 and 73-12110 are limited to the
irrigation of a combined total of 2413.3 acres in a single
irrigation season.

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 September 30, 2010, with sufficient first-class postage to the following:

FLYING JOSEPH RANCH LLC

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

UNITED STATES OF AMERICA

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

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

ORDER

Page 1 9/30/10

FILE COPY FOR 00172

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".