

RECEIVED

SEP 30 2010

DEPARTMENT OF
WATER RESOURCES

73-42
eval

DISTRICT COURT - IDAHO	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 29 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: See Attached Exhibit A
(Big Creek Ranch LLC)

On August 20, 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 29, 2010.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - BIG CREEK RANCH LLC

Subcase Nos:

73-00042

73-00157

73-00158

73-02102

73-02155

(Subcase list: FILE73-133)

8/20/10

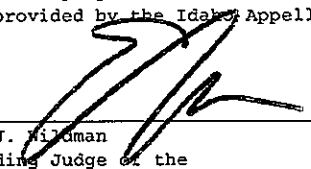
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

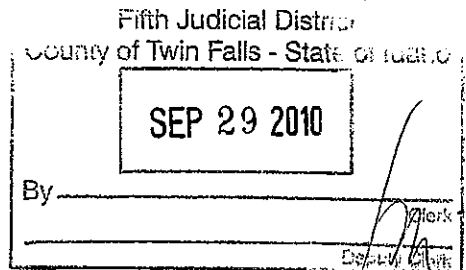
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 73-00157



NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 4.40 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S27 SENW Within Custer County

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		
	T14N R22E S17	SWNE 4.9	Within Custer County
		NENW 5.6	Within Lemhi County
		NWNW 31.0	Within Custer County
		SENE 35.0	SWNE 36.0
		NWSW 2.2	SENE 24.0
		NESE 5.2	SENE 0.4
			Within Lemhi County
		NWSE 29.0	Within Custer County
		SESE 16.0	SWSE 14.0
	S18	NENE 35.0	SENE 17.0
	255.3 Acres Total		

Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

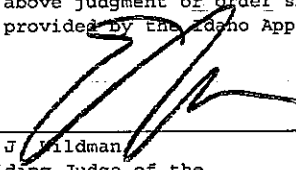
Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

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.

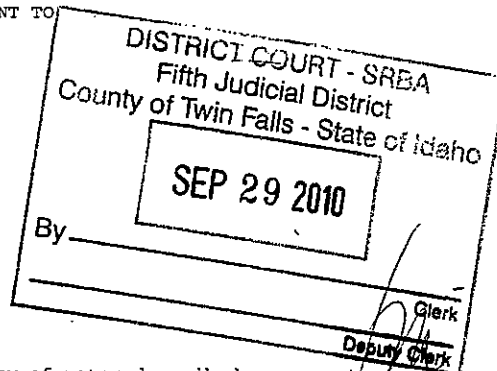

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-00158



NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 5.00 CFS

The appropriator is entitled to the quantity of water described above at the point of measurement in T14N, R22E, S26, SWSW. Water under this right shall only be delivered when there is insufficient water in the Pahsimeroi River and Patterson Creek (Spring Creek) to deliver 14.4 cfs using water rights 73-42 and 73-157, and then only to the extent of supplying 14.4 cfs.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T13N R23E S12 NWSW Within Custer County
T14N R22E S27 NWSE (Injection) Within Lemhi County
SENW (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.00 CFS

PLACE OF USE:	Section	Quantity	Location
Irrigation	T14N R22E S17	SWNE 4.9	Within Custer County
		NENW 5.6	Within Lemhi County
		NWNW 31.0	Within Custer County
		SESW 35.0	SWNW 36.0
		NWSW 2.2	NESW 24.0
			SESW 0.4
			Within Lemhi County
		NESE 5.2	
		NWSE 29.0	Within Custer County
		SESE 16.0	SWSE 14.0
	S18	NENE 35.0	SENE 17.0
255.3 Acres Total			

Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

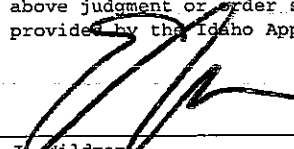
Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

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

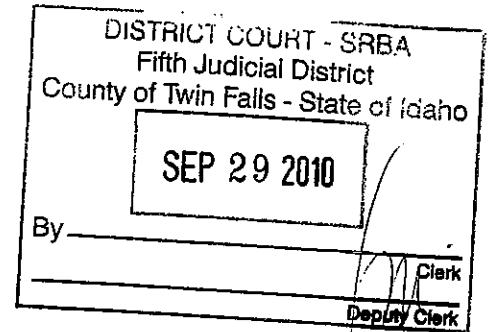
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-02102



NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.40 CFS

PRIORITY DATE: 07/19/1915

POINT OF DIVERSION: T13N R23E S13 NENW Within Custer County
S27 SESW (Injection)
T14N R22E S27 SENW (Rediversion) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.40 CFS

PLACE OF USE:	Irrigation	SWNE 4.9	Within Custer County
	T14N R22E S17	NENW 5.6	Within Lemhi County
		NWNW 31.0	Within Custer County
		SESW 35.0	SWNW 36.0
		NWSW 2.2	NESW 24.0
		NESE 5.2	SESW 0.4
		NWSE 29.0	Within Lemhi County
		SESE 16.0	Within Custer County
	S18	NENE 35.0	SWSE 14.0
	255.3 Acres Total		SENE 17.0

Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

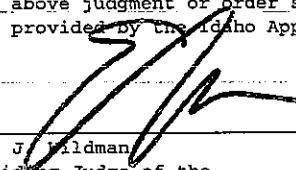
Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

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).

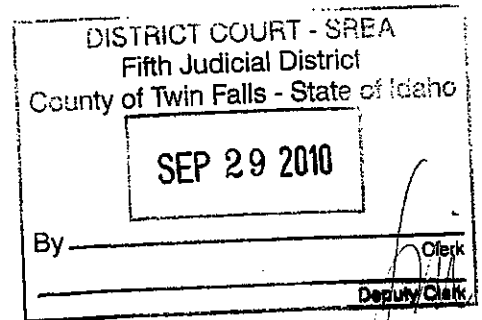
RULE 54(b) CERTIFICATE

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 73-02155



NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 6.40 CFS

PRIORITY DATE: 02/27/1963

POINT OF DIVERSION: T14N R22E S27 SENW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.40 CFS

PLACE OF USE:			
Irrigation			Within Custer County
T14N R22E S17	SWNE 4.9		Within Lemhi County
	NENW 5.6		Within Custer County
	NWNW 31.0	SWNW 36.0	
	SENW 35.0	NESW 24.0	
	NWSW 2.2	SESW 0.4	Within Lemhi County
	NESE 5.2		Within Custer County
	NWSE 29.0	SWSE 14.0	
	SESE 16.0		
S18	NENE 35.0	SENE 17.0	
255.3 Acres Total			

Right Nos. 73-42, 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 432.3 acres in a single irrigation season.

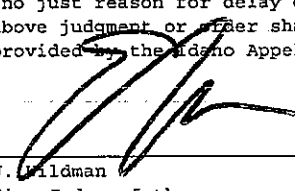
Right Nos. 73-157, 73-158, 73-2102 and 73-2155 are limited to the irrigation of a combined total of 255.3 acres in a single irrigation season.

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 29, 2010, with sufficient first-class postage to the following:

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

BIG CREEK RANCH LLC
280 CRANBROOK RD
HAILEY, ID 83333

ORDER

Page 1 9/29/10

FILE COPY FOR 00133


Deputy Clerk