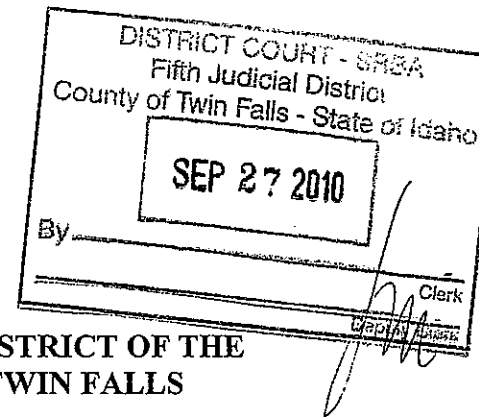


RECEIVED  
SEP 28 2010  
DEPARTMENT OF  
WATER RESOURCES



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

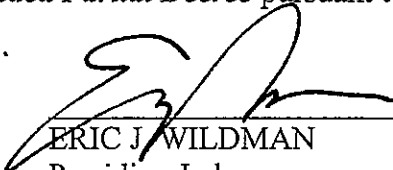
Case No. 39576

) WATER RIGHT NO: 73-02164  
)  
) ORDER OF AMENDED PARTIAL  
) DECREE  
)  
)  
)  
)

A *Partial Decree* was issued for the above-captioned water right on October 20, 2009. On May 26, 2010, the Court received correspondence from the Idaho Department of Water Resources notifying the Court that the above-captioned water right is one of several containing overlapping rights which listed federal lands in the Place of Use element, and that the removal of the federal acres reduced the total combined Place of Use from 961.5 to 951.1 acres. In addition, the correspondence indicated an error in the *Partial Decree* with respect to the remark in the Period of Use element. On June 8, 2010, the Court issued a *Notice of Court's Intent to Issue Amended Partial Decree, and Notice of Hearing Thereon* setting forth the intent of the Court to issue an *Amended Partial Decree* correcting the above-mentioned errors. A hearing was held on the *Notice of Court's Intent* on September 21, 2010. No party appeared in opposition to the Court's proposed action. This Court finds the above-mentioned errors in the *Partial Decree* to be the result of clerical error.

THEREFORE, IT IS HEREBY ORDERED that pursuant to I.C.R.P. 60(a) the *Partial Decree* previously issued for water right 73-02164 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree* pursuant to I.R.C.P. 54(b).

Dated September 27, 2010.

  
ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

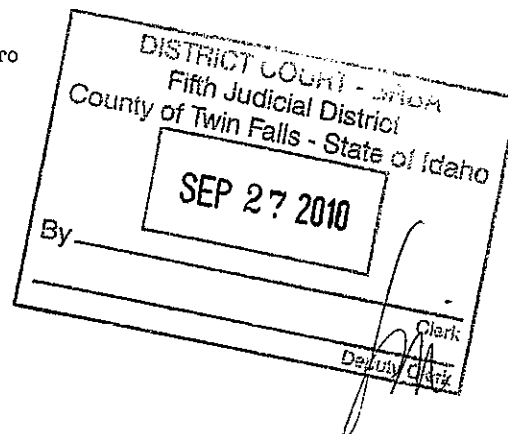
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 73-02164



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

SOURCE: GROUND WATER

QUANTITY: 5.00 CFS  
1281.00 AFY

Right Nos. 73-2164 and 73-7000 are limited to a total combined  
diversion rate of 7.6 cfs.

PRIORITY DATE: 10/06/1966

POINT OF DIVERSION: T14N R21E S24 SENWNE Within Custer County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Irrigation

PERIOD OF USE  
03-01 TO 10-01

QUANTITY  
5.00 CFS  
1281.00 AFY

The use of water for irrigation under this right may continue to  
as late as October 31 provided other elements of the right are  
not exceeded. The use of water after October 1 under this remark  
is subordinate to all water rights having no subordinated early  
or late irrigation use and a priority date earlier than the date  
a partial decree is entered for this right.

PLACE OF USE:

Irrigation

T14N R21E S13 SWSE 40.0  
S24 NENE 18.0  
SWNE 39.0  
NENW 38.0  
R22E S18 SESW 38.0  
S19 LOT 1 (NWNW) 39.0  
366.0 Acres Total

Within Custer County

NWNE 40.0  
SENE 40.0  
SENE 34.0  
SWSE 40.0

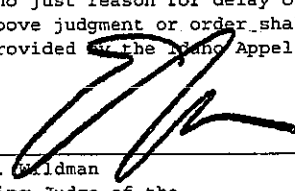
The rights listed below are limited to the irrigation of a  
combined total of 951.1 acres in a single irrigation season.  
Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140,  
73-2164, 73-7000

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. Goldman  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on September 27, 2010, with sufficient first-class postage to the following:

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

BRETT MAC NEIL  
SCYTHE & SPADE CO  
453 S FITNESS PL  
EAGLE, ID 83616  
Phone: 208-893-5333

BIG CREEK RANCH LLC  
280 CRANBROOK DR  
HAILEY, ID 83333

OLD CORRALS & SAGEBRUSH LLLP  
453 S FITNESS PL  
EAGLE, ID 83616  
Phone: 208-893-5333