

RECEIVED
APR 16 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 15 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

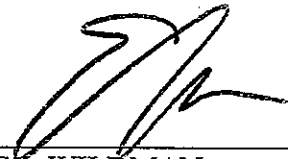
Subcases: 77-04049, 77-14277,
77-14302 & 77-14303
(Mackay Bar Ranch LLC, Mackay
Bar Corp. & Mackay Bar HOA Inc.)

On February 18, 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 April 15, 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 77-04049

NAME AND ADDRESS:

MACKAY BAR RANCH LLC
C/O KEN AND ANDREA CAMERON
HC 83 BOX 8010
CASCADE, ID 83611

SOURCE:

SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY:

0.28 CFS

PRIORITY DATE:

01/01/1967

POINT OF DIVERSION:

T24N R08E S32 NENW Within Idaho County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-15 TO 10-31

QUANTITY
0.28 CFS

PLACE OF USE:

Irrigation

Within Idaho County

T24N R08E S32

NENW 1.0

SWNW 0.5

SENW 10.0

NESW 1.4

NWSW 1.2

14.1 Acres Total

Right Nos. 77-14277, 77-4045 and 77-4049 are limited to the
irrigation of a combined total of 14.1 acres in a single
irrigation season.

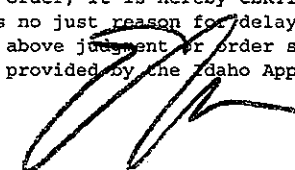
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

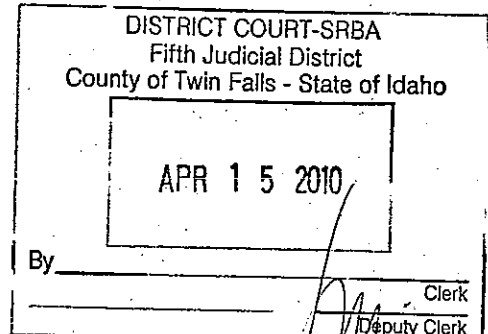
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537 AND
TRACT 37.

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 77-14277

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

APR 15 2010

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: MACKAY BAR RANCH LLC
C/O KEN AND ANDREA CAMERON
HC 83 BOX 8010
CASCADE, ID 83611

SOURCE: MACKAY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.63 CFS

This right when combined with other rights is limited to 0.02 cfs
per acre at the field headgate.

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION: T24N R08E S32 NWNE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.18 CFS
	Power	01-01 TO 12-31	0.63 CFS

PLACE OF USE:	Irrigation	Within Idaho County
	T24N R08E S32	NENW 1.0 SWNW 0.5
		SEnw 10.0 NESW 1.4
		NWSW 1.2
	14.1 Acres Total	

Power	Within Idaho County
T24N R08E S32	SEnw

Right Nos. 77-14277, 77-4045 and 77-4049 are limited to the
irrigation of a combined total of 14.1 acres in a single
irrigation season.

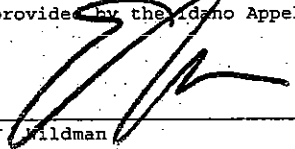
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is known as Tract 37 and part of Homestead Entry Survey
No. 537.

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 77-14302

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

APR 15 2010

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE, ID 83707

SOURCE: MACKAY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.23 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

By _____ rClerk
Deputy Clerk

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION: T24N R08E S32 NWNE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.23 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation		Within Idaho County
	T24N R08E S32	NENW 9.5	SENEW 2.0
	11.5 Acres Total		
	Domestic		Within Idaho County
	Same as Irrigation		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is within Homestead Entry Survey No. 537.
The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
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 77-14303

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 15 2010	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: MACKAY BAR HOMEOWNERS ASSN INC
C/O S BRYCE FARRIS
RINGERT LAW CHARTERED
PO BOX 2773
BOISE, ID 83701-2773

SOURCE: MACKAY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.14 CFS

This right when combined with other rights is limited to 0.02 cfs
per acre at the field headgate.

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION: T24N R08E S32 NWNE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.08 CFS
	Domestic	01-01 TO 12-31	0.14 CFS

PLACE OF USE:	Irrigation		Within Idaho County
	T24N R08E S32	NENW 0.2	SENEW 2.0
	2.2 Acres Total		
	Domestic		Within Idaho County
	T24N R08E S32	NENW	SENEW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PROPERTY IS WITHIN HOMESTEAD ENTRY SURVEY NO. 537.
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 April 15, 2010, with sufficient first-class postage to the following:

MACKAY BAR RANCH LLC

Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

MACKAY BAR CORP

PO BOX 7968
BOISE, ID 83707

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

ARTHUR C & MARGARET JONES III
BRIAN & SANDRA ANDERSON
CHARLES D & BARBARA K JONES
CLYDE GERHARD
DENNIS & KIM GEIS
ELDON & CHEREESE HOWARD
FARRIS SCOTT & VICTORIA LIND
FRANK FRITZIE
GARY & KATHY MC LEAN
GREGORY OBENDORF
HARVEY GEIS
JAMES & CARRIE CHEATHAM
JON VANDERHOEF
MARVIN THOMAS
MICHAEL D & SALLY GERHARD
RICHARD M PHILLIPS
ROD & CHRIS HIGGINS
ROGER ANDERSON
STEVE & SHELLY RAMBO
WENDEL & JAN HOLTON

Represented by:
S. BRYCE FARRIS
RINGERT LAW CHARTERED
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

MACKAY BAR RANCH LLC
C/O KEN AND ANDREA CAMERON
HC 83 BOX 8010
CASCADE, ID 83611

MACKAY BAR HOMEOWNERS ASSN INC
C/O S BRYCE FARRIS
RINGERT LAW CHARTERED
PO BOX 2773
BOISE, ID 83701-2773


Deputy Clerk