

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

FEB - 3 2010

By _____

Clerk
Deputy Clerk

In Re SRBA	)	
	)	ORDER OF PARTIAL DECREES
Case No. 39576	)	
	)	Subcases: 37-11989 & 37-12000
	)	(Black Butte Hills LLC)
	)	
	)	

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.

DATED February 3, 2010

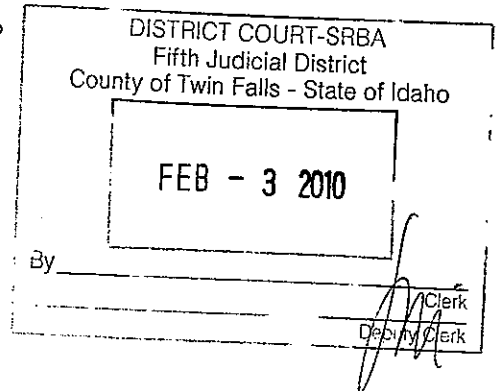
ORDER OF PARTIAL DECREES

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 37-11989



NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 1.70 CFS

Right Nos. 37-2211 and 37-11989 are limited to a total combined
diversion rate of 1.70 cfs.
The capacity of the storage reservoir is 20.5 AF. The reservoir
may be refilled multiple times in a single year.

PRIORITY DATE: 04/15/1957

POINT OF DIVERSION: T02S R17E S11 NWNWSE Within Camas County
NWESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Diversion to Storage	01-01 TO 12-31	1.70 CFS
	Irrigation Storage	01-01 TO 12-31	
	Irrigation from Storage	04-15 TO 10-31	

PLACE OF USE:	Irrigation Storage	Within Blaine County
	Same as Irrigation from Storage	
	Irrigation from Storage	Within Blaine County
	T02S R17E S01	NWSW 34.0
		SWSW 39.0
	S02	SENE 0.4
		SESW 30.0
		NWSE 3.1
		SESE 40.0
	S11	NENE 40.0
		SWNE 28.0
		NENW 34.0
		NESE 20.0
		SWSE 19.0
		SESE 27.0
	S12	SWNE 20.0
		NENW 19.0
		NWNW 40.0
		SENW 38.0
		NESW 38.0
		NWSW 40.0
		SWSW 28.0
		SESW 11.0
		NWSE 24.0
	787.0 Acres Total	

Diversion to Storage Within Blaine County
Same as Irrigation from Storage

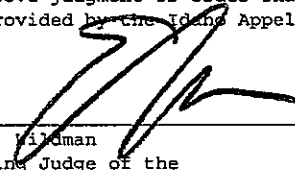
Irrigation from storage is not limited but currently confined to
the place of use described above.
The rights listed below are limited to the irrigation of a
combined total of 787 acres in a single irrigation season.
Combined Right Nos.: 37-2211, 37-11989, 37-20556, 37-20563, &
37-20568.

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 37-12000

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

FEB - 3 2010

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 14.00 AFY

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

PRIORITY DATE: 05/01/1917

POINT OF DIVERSION: T02S R17E S11 NWNWSE Within Blaine County
NWSESE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater Storage	01-01 TO 12-31	14.00 AFY
	Stockwater from Storage	01-01 TO 12-31	14.00 AFY

PLACE OF USE:	Stockwater Storage		Within Camas County
	T02S R17E S11	SESE	
	S12	SWSW	Within Blaine County
			SESW
	Stockwater from Storage		Within Camas County
	T02S R17E S11	SESE	
			Within Blaine County
	S12	SWSW	SESW

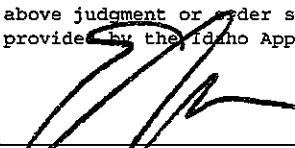
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right 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
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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 February 03, 2010, with sufficient first-class postage to the following:

BLACK BUTTE HILLS LLC

Represented by:

JAMES P. SPECK

SPECK & AANESTAD

120 EAST AVENUE

PO BOX 987

KETCHUM, ID 83340

Phone: 208-726-4421

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.