

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 29 2005	
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	)	ORDER OF PARTIAL DECREES
	)	
Case No. 39576	)	SUBCASES: 45-00137
	)	45-00138 & 45-13488
	)	
	)	
	)	

On June 14, 2005, 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)*.

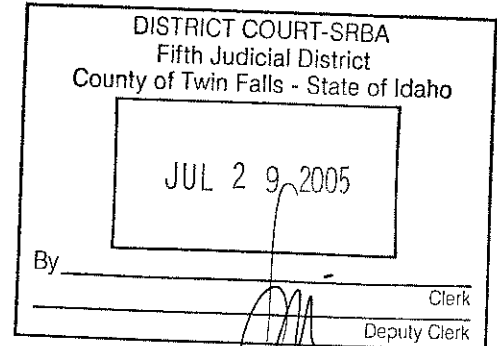
DATED July 29, 2005.



 JOHN M. MELANSON
 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00137



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 2.00 CFS

RIGHTS 45-137, 45-138 AND 45-13488 WHEN COMBINED SHALL NOT EXCEED
A TOTAL DIVERSION RATE OF 2.80 CFS.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.

PRIORITY DATE: 05/31/1877

POINT OF DIVERSION: T14S R21E S34 NESENW Within Cassia County

FISH PASSAGE WILL BE PROVIDED FOR UPSTREAM MIGRATING FISH THROUGH
THE IRRIGATION DIVERSION DAM. THIS WILL BE PROVIDED WITH A
VERTICAL SLOTTED ORIFICE ON THE DIVERSION DAM THAT HAS A MINIMUM
GAP WIDTH OF SIX INCHES THROUGHOUT THE WATER COLUMN FOR THE
DURATION THAT WATER IS BEING DIVERTED THROUGH THE IRRIGATION
SYSTEM. THIS MODIFICATION SHOULD PROVIDE FISH THE MEANS TO
MIGRATE UPSTREAM OR DOWNSTREAM THROUGH THE STRUCTURE. THE IDAHO
DEPARTMENT OF FISH AND GAME MUST APPROVE ANY ALTERATION TO THIS
DESIGN.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	07-02 TO 11-01	0.40 CFS
Irrigation	04-01 TO 07-01	2.00 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 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 Within Cassia County

T14S R21E S26	SWSW 27.9	
S27	SESE 7.6	
S34	NENE 21.2	NWNE 12.1
	SWNE 9.7	SENE 0.6
79.1 Acres Total		

RIGHT NOS. 45-137, 45-138 AND 45-13488 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79.1 ACRES IN A SINGLE
IRRIGATION SEASON.
RIGHTS 45-137 AND 45-138 WHEN COMBINED SHALL NOT EXCEED THE
IRRIGATION OF 68.8 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

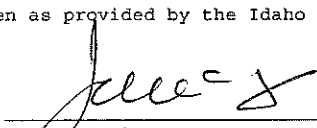
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

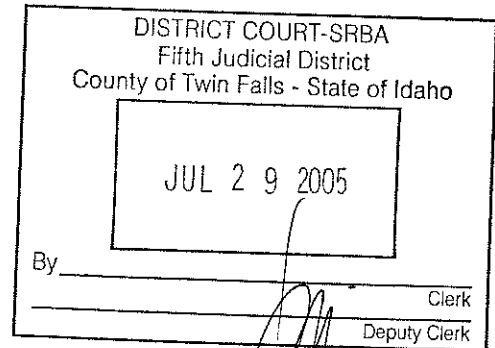
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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



John M. Melanson
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 45-00138



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.80 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION
OF THE LANDS ABOVE.
RIGHTS 45-137, 45-138 AND 45-13488 WHEN COMBINED SHALL NOT EXCEED
A TOTAL DIVERSION RATE OF 2.80 CFS.

PRIORITY DATE: 05/31/1883

POINT OF DIVERSION: T14S R21E S34 NESENW Within Cassia County

FISH PASSAGE WILL BE PROVIDED FOR UPSTREAM MIGRATING FISH THROUGH
THE IRRIGATION DIVERSION DAM. THIS WILL BE PROVIDED WITH A
VERTICAL SLOTTED ORIFICE ON THE DIVERSION DAM THAT HAS A MINIMUM
GAP WIDTH OF SIX INCHES THROUGHOUT THE WATER COLUMN FOR THE
DURATION THAT WATER IS BEING DIVERTED THROUGH THE IRRIGATION
SYSTEM. THIS MODIFICATION SHOULD PROVIDE FISH THE MEANS TO
MIGRATE UPSTREAM OR DOWNSTREAM THROUGH THE STRUCTURE. THE IDAHO
DEPARTMENT OF FISH AND GAME MUST APPROVE ANY ALTERATION TO THIS
DESIGN.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 07-01	0.80 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 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	Within Cassia County
	T14S R21E S26	SWSW 27.9
	S27	SESE 7.6
	S34	NENE 21.2
		NWNE 12.1
		SWNE 9.7
		SENE 0.6
	79.1 Acres Total	

RIGHT NOS. 45-137, 45-138 AND 45-13488 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79.1 ACRES IN A SINGLE
IRRIGATION SEASON.
RIGHTS 45-137 AND 45-138 WHEN COMBINED SHALL NOT EXCEED THE
IRRIGATION OF 68.8 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

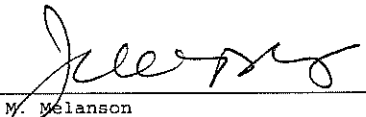
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

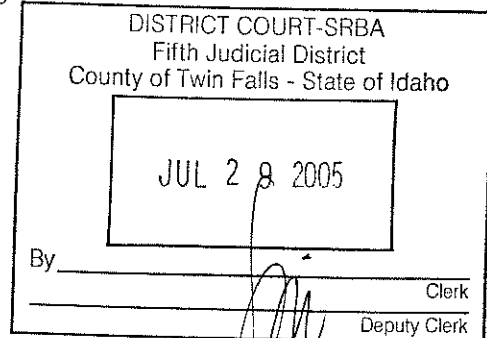
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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



John M. Melanson
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 45-13488



NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.37 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.
RIGHTS 45-137, 45-138 AND 45-13488 WHEN COMBINED SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 2.80 CFS.

PRIORITY DATE: 02/22/1925

POINT OF DIVERSION: T14S R21E S34 NESENW Within Cassia County

FISH PASSAGE WILL BE PROVIDED FOR UPSTREAM MIGRATION FISH THROUGH THE IRRIGATION DIVERSION DAM. THIS WILL BE PROVIDED WITH A VERTICAL SLOTTED ORIFICE ON THE DIVERSION DAM THAT HAS A MINIMUM GAP WIDTH OF SIX INCHES THROUGHOUT THE WATER COLUMN FOR THE DURATION THAT WATER IS BEING DIVERTED THROUGH THE IRRIGATION SYSTEM. THIS MODIFICATION SHOULD PROVIDE FISH THE MEANS TO MIGRATE UPSTEAM OR DOWNSTREAM THROUGH THE STRUCTURE. THE IDAHO DEPARTMENT OF FISH AND GAME MUST APPROVE ANY ALTERATION TO THIS DESIGN.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.37 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R21E S26	SWSW 27.9
	S27	SESE 7.6
	S34	NENE 21.2
		NWNE 12.1
		SWNE 9.7
		SENE 0.6
	79.1 Acres Total	

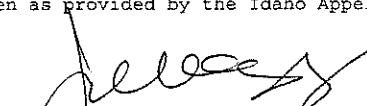
RIGHT NOS. 45-137, 45-138 AND 45-13488 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 79.1 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



John M. Melanson
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 July 29, 2005, with sufficient first-class postage to the following:

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY, ID 83346
Phone: 208-862-3377

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.

