

DEPARTMENT OF
WATER RESOURCES

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

JAN 26 2009

By _____ Clerk

Deputy Clerk

FOR WATER RIGHT: 37-21229

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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 37-21229

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

JAN 26 2009

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: RHYTHM RANCH HOMEOWNERS
ASSOCIATION
C/O WILLIAM A MCMAHAN
PO BOX 5919
KETCHUM, ID 83340

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JAN 27 2009

DEPARTMENT OF
WATER RESOURCES

SOURCE: BROADFORD SLOUGH TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.53 CFS

Right Nos. 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237
are limited to a total combined diversion rate of 2.26 cfs and
to a total combined annual diversion volume of 108.9 AF at the
field headgate.
Right Nos. 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and
37-21237 are limited to a total combined annual diversion volume
of 122.5 AF at the field headgate.
This right when combined with all other rights shall provide no
more than 3.5 afa per acre at the field headgate for irrigation
of the lands above.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T02N R18E S35 NESESE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.53 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S35 SWSE 11.0 SESE 38.0	
	49.0 Acres Total	

Place of use does not include federal public lands.
Right Nos. 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237
are limited to the irrigation of a combined total of 33.6 acres
in a single irrigation season.
Right Nos. 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and
37-21237 are limited to the irrigation of a combined total of
35.0 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).

RECOMMENDATION

JAN 26 2009

SPECIAL MASTER

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

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JAN 27 2009

DEPARTMENT OF
WATER RESOURCES

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

JAN 26 2009

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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 37-21229

On January 26, 2009, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 26, 2009.


JANET CONNELL
Deputy Clerk

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JAN 27 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 26 2009	
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)

CERTIFICATE OF MAILING

Water Right(s): 37-21229

CERTIFICATE OF MAILING

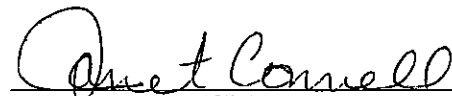
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 26, 2009, with sufficient first-class postage prepaid to the following:

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

RHYTHM RANCH HOMEOWNERS
ASSOCIATION
C/O WILLIAM A MCMAHAN
PO BOX 5919
KETCHUM, ID 83340

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

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JANET CONNELL 01/26/09
Deputy Clerk