

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

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

DEC 11 2009

By _____
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

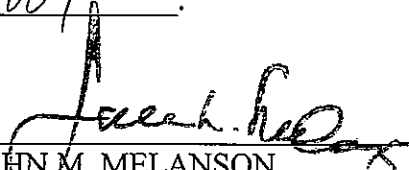
)
) Water Right: 22-02178
) (BMJ Farms LLC)
)
) ORDER OF PARTIAL DECREE
)
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part 2, Reporting Area 17, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On September 14, 2009 the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of substitution of party for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 11, 2009.


JOHN M. MELANSON
Presiding Judge, pro tem
Snake River Basin Adjudication

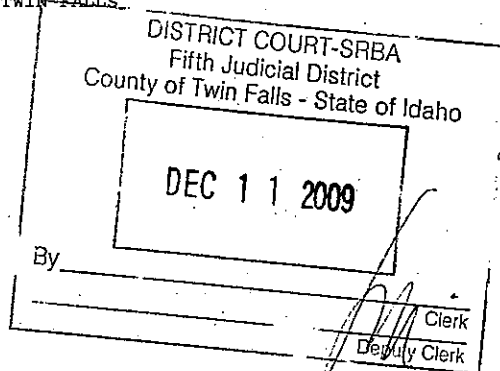
ORDER OF PARTIAL DECREE

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 22-02178



NAME AND ADDRESS: BMJ FARMS LLC
1282 S 2ND E
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 2.20 CFS
384.00 AFY

The rights listed below are limited to a total combined diversion rate of 5.02 cfs and to a total combined annual diversion volume of 1479.1 AF. Combined Right Nos.: 22-2178, 22-2256D and 22-7364.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/17/1960

POINT OF DIVERSION: T06N R41E S22 SWSESW Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.20 CFS 384.00 AFY

PLACE OF USE:	Irrigation	Within Madison County
T06N R41E S22	NESW 40.0	NWSW 39.0
	SWSW 38.0	SESW 39.0
S27	NENW 40.0	NWNW 39.0
	SWNW 32.8	SENW 30.0
	NESW 1.9	NWSW 20.6
	SWSW 14.0	SESW 7.3
S28	SENE 36.0	NESE 21.0
	NWSE 5.0	
S34	NENW 12.3	NWNW 6.7
422.6 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 422.6 acres in a single irrigation season. Combined Right Nos.: 22-2178, 22-2256D and 22-7364.

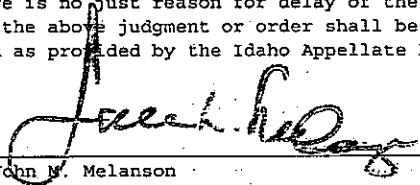
This right is limited to the irrigation of 109.7 acres within the place of use described above in a single irrigation season.

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 N. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2009 DEC 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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) : 22-02178

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 22-02178 was mailed on December 11, 2009, with sufficient first-class postage prepaid to the following:

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

BMJ FARMS LLC
1282 S 2ND E
REXBURG, ID 83440
Phone: 208-356-9079

JULIE MURPHY
Chief Deputy Clerk