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JUN 10 2009

DEPARTMENT OF  
WATER RESOURCES

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

JUN - 9 2009

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

)  
) Water Right Nos.: 22-02256D &  
) 22-07364  
) (BMJ Farms LLC / DKJ Farms LLC)  
)  
) ORDER OF PARTIAL DECREES  
)

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part II, Reporting Area 23, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On February 2, 2009, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a transfer in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED

June 9, 2009

JOHN M. MELANSON

Presiding Judge

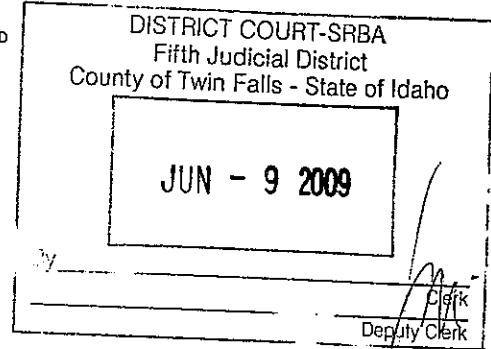
Snake River Basin Adjudication

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 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 22-02256D



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

DKJ FARMS LLC  
665 CENTENNIAL LOOP  
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 2.36 CFS  
1033.00 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 below.

PRIORITY DATE: 08/12/1965

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 11-01 | 2.36 CFS<br>1033.00 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 |            |                       |

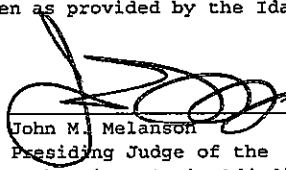
The rights listed below are limited to the irrigation of a combined total of 422.6 acres in a single irrigation season. Combined Right nos: 22-2178, 22-2256D and 22-7364. This right is limited to the irrigation of 295 acres within the place of use described above in a single irrigation season.

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

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  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 22-07364

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

DKJ FARMS LLC  
665 CENTENNIAL LOOP  
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 0.46 CFS  
200.00 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 irrigaton of the lands below.

PRIORITY DATE: 06/05/1981

POINT OF DIVERSION: T06N R41E S22 SWSESW Within Madison County

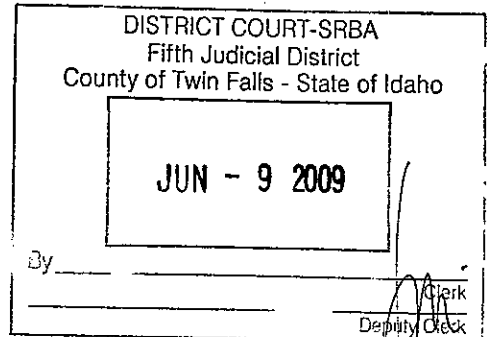
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|----------------------------|----------------|----------------|------------------------|
|                            | Irrigation     | 04-01 TO 11-01 | 0.46 CFS<br>200.00 AFY |

| 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 irrigaiton of 57 acres within the place of use described above in a single irrigation season.

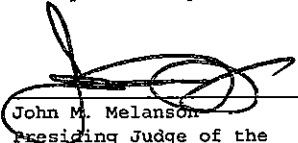
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

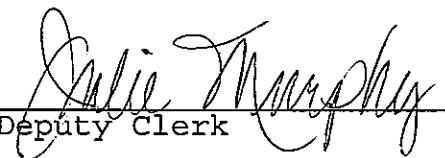
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 09, 2009, with sufficient first-class postage to the following:

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

BMJ FARMS LLC  
1282 S 2ND E  
REXBURG, ID 83440

DKJ FARMS LLC  
665 CENTENNIAL LOOP  
REXBURG, ID 83440

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".