

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED

In Re SRBA)
)
Case No. 39576)

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

Water Right 37-21233

2009 MAY 29 AM 9 04

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

SOURCE: BROADFORD SLOUGH TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.79 CFS

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.
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.

PRIORITY DATE: 08/15/1902

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	0.79 CFS

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

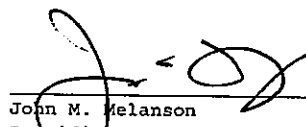
Place of use does not include federal public lands.
Right Nos. 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 are limited to the irrigation of a combined total of 33.6 acres in a single irrigation season.
Right Nos. 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 are limited to the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

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

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 MAY 29 AM 9 03

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

ORDER OF PARTIAL DECREES

**Subcases: See Attached Exhibit A
(Rhythm Homeowners Assn)**

On January 26, 2009, 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

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - RHYTHM HOMEOWNERS ASSN

Subcase Nos:

37-21227
37-21229
37-21231
37-21233
37-21235
37-21237

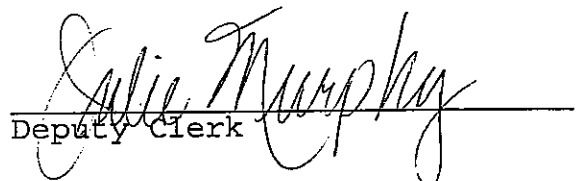
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 29, 2009, with sufficient first-class postage to the following:

RHYTHM RANCH HOMEOWERS
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

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

A handwritten signature in cursive script, appearing to read "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".