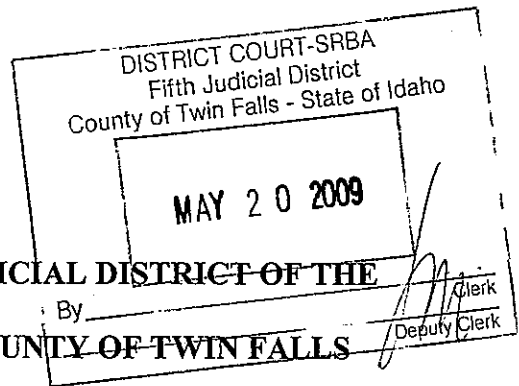


RECEIVED

MAY 21 2009

Department of Water Resources
Adjudication Bureau



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: 37-22123
) (Bashista / Drake / Miller / Saylor /
) Rafferty)
)
) ORDER OF PARTIAL DECREE
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On May 2, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a 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 May 20, 2009


JOHN M. MELANSON
Presiding Judge
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 37-22123

NAME AND ADDRESS:

CAROL BASHISTA
FRANK BASHISTA
PO BOX 1660
HAILEY, ID 83333

LINDA O DRAKE
PO BOX 4885
KETCHUM, ID 83340

BARBARA MILLER
DONALD MILLER
201 POLO CLUB LN
BELLEVUE, ID 83313

GLORIANA SAYLOR
LYLE SAYLOR
235 ST THOMAS LN
OWINGS MILLS, MD 21117

SUSAN RAFFERTY
3717 EAGLE AVE
KEY WEST, FL 33040

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.60 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1887

POINT OF DIVERSION: T02N R18E S35 NENE Within Blaine County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.60 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Irrigation Within Blaine County
T02N R18E S35 NENE 6.5 SENE 6.6
13.1 Acres Total

Stockwater Within Blaine County
T02N R18E S35 NENE SENE

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

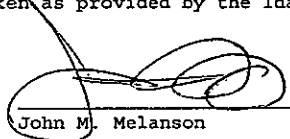
The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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).

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 20 2009	
By _____	Clerk
_____	Deputy Clerk

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

2009 MAY 20 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): 37-22123

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 37-22123 was mailed
on May 20, 2009, with sufficient first-class postage prepaid
to the following:

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

CAROL BASHISTA
FRANK BASHISTA
PO BOX 1660
HAILEY, ID 83333

LINDA O DRAKE
PO BOX 4885
KETCHUM, ID 83340
Phone: 208-725-0454

BARBARA MILLER
DONALD MILLER
201 POLO CLUB LN
BELLEVUE, ID 83313

GLORIANA SAYLOR
LYLE SAYLOR
235 ST THOMAS LN
OWINGS MILLS, MD 21117
Phone: 410-363-3563

SUSAN RAFFERTY
3717 EAGLE AVE
KEY WEST, FL 33040
Phone: 305-296-2650

JULIE MURPHY
Chief Deputy Clerk