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MAY 14 2009

DEPARTMENT OF
WATER RESOURCES

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

MAY 13 2009

By

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) Water Right: 37-22361

) (Bell Mountain Ranch Homeowners

) Assn. Inc.)

) ORDER OF PARTIAL DECREE

On December 5, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part II, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendation for water right 37-20443. No objections were filed and the time period for filing objections has expired.

On September 11, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative and Amended Director's Report* notifying the Court that water right 37-20443 had been split into water rights 37-22360 and 37-22361. 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 13, 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 37-22361

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

MAY 13 2009

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BELL MOUNTAIN RANCH HOMEOWNERS
ASSN INC
PO BOX 1001
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 0.25 CFS
37.20 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 3.0 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/29/1965

POINT OF DIVERSION: T01N R19E S20 NWSESW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.25 CFS
			37.20 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S20	SWSE 9.3
	12.4 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 12.4 acres in a single irrigation season.
Combined Right Nos.: 37-22359, 37-22361, 37-22363 and 37-22365.

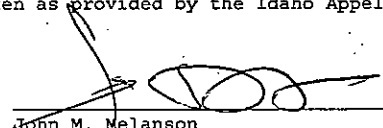
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall use the full allotment of appurtenant
surface water rights in conjunction with ground water diverted
under this right and shall only divert ground water under this
right when water from the appurtenant surface water rights
cannot be delivered to the right holder.
If the surface water right(s) appurtenant to the place of use is
sold, transferred, leased or used on any other place of use,
this right to divert groundwater shall not be used without an
approved transfer pursuant to Section 42-222, Idaho Code, or
approval of the Department if a transfer is not required.

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

2009 MAY 13 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): 37-22361

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 37-22361 was mailed
on May 13, 2009, with sufficient first-class postage prepaid
to the following:

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

BELL MOUNTAIN RANCH HOMEOWNERS
ASSN INC
PO BOX 1001
HAILEY, ID 83333

JULIE MURPHY
Chief Deputy Clerk