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DEC 03 2008

DEPARTMENT OF
WATER RESOURCES

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

DEC 2 - 2008

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: 22-02168 & 22-04052

) ORDER OF PARTIAL DECREE

On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part II, Reporting Area 17, 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 March 10, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* 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

December 2, 2008

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 DISTRICT COURT-SRBA
I.R.C.P. 54(b) FOR Fifth Judicial District
Water Right 22-02168 County of Twin Falls - State of Idaho

DEC 2 - 2008

NAME AND ADDRESS: BHA INC
2983 E 2000 N
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 3.64 CFS
819.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 3.5 afa per acre at the filed headgate for irrigation of the lands below. the rights listed below are limited to a total combined annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 04/07/1958

POINT OF DIVERSION: T06N R41E S16 SWNWSW Within Madison County
S21 SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.64 CFS 819.00 AFY

PLACE OF USE:	Irrigation	Within Madison County
T06N R41E S16	NESW 35.0	NWSW 39.0
	SWSW 39.0	SESW 34.0
	NESE 39.0	NWSE 39.0
	SWSE 38.0	SESE 38.0
S17	NESE 19.0	NWSE 11.0
	SWSE 8.7	SESE 39.0
S21	NENE 39.0	NWNE 2.7
420.4 Acres Total		

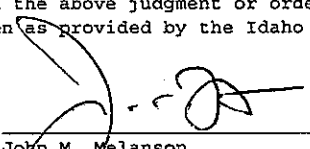
The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281. This right is limited to the irrigation of 234 acres within the place of use described above in a single irrigation season.

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.

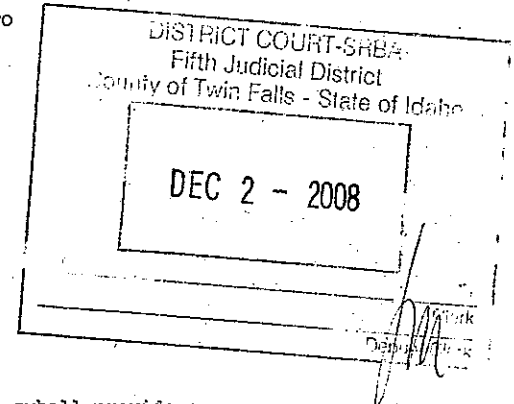


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-04052



NAME AND ADDRESS: BHA INC
2983 E 2000 N
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 0.97 CFS
280.00 AFY

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. The rights listed below are limited to a total combined annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 09/01/1961

POINT OF DIVERSION: T06N R41E S16 SWNWSW Within Madison County
S21 SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.97 CFS 280.00 AFY

PLACE OF USE:	Irrigation	Within Madison County
T06N R41E S16	NESW 35.0	NWSW 39.0
	SWSW 39.0	SESW 34.0
	NESE 39.0	NWSE 39.0
	SWSE 38.0	SESE 38.0
S17	NESE 19.0	NWSE 11.0
	SWSE 8.7	SESE 39.0
S21	NENE 39.0	NWNE 2.7
420.4 Acres Total		

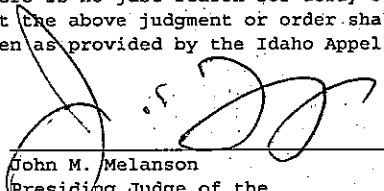
The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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 December 02, 2008, with sufficient first-class postage to the following:

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

BHA INC
2983 E 2000 N
SUGAR CITY, ID 83448
Phone: 208-356-3533

ORDER

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Deputy Clerk