

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 30 2008	
By _____	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	)	Subcases 24-4016 and 24-4017
	)	(J. R. Simplot Co.)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

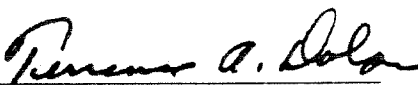
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 14, IDWR Basin 24* on November 21, 2006. The Director recommended the claims to J. R. Simplot Company, c/o Terry L. Uhling, 999 Main Street, Suite 1300, P.O. Box 27, Boise, Idaho, 83707, for 5 cfs and 1.02 cfs from Rock Creek and Sage Creek for recreation use and to irrigate 165.4 acres and 33.9 acres in Caribou County from April 15 to October 15 or 31 with priority dates of January 26, 1903, and September 18, 1890, based on beneficial use.

The Company filed *Objections* on January 11, 2007, objecting to quantity, points of diversion, purposes of use and places of use. The Special Master entered an ***Order Granting Motion to Amend Claim*** on December 13, 2007, and on December 24, 2007, IDWR filed its *Amended Director's Reports, Subcases 24-4016 & 24-4017*. No one objected.

Conclusions of Law

J. R. Simplot Company is entitled to partial decrees adjudicating water rights as described in the *Amended Director's Reports* and the attached ***Special Master Recommendations for Partial Decrees for Water Rights 24-4016 and 24-4017***.

DATED January 30, 2008.



 TERRENCE A. DOLAN
 Special Master
 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
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 24-04016

NAME AND ADDRESS: J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN STREET SUITE 1300
PO BOX 27
BOISE, ID 83707

SOURCE: ROCK CREEK TRIBUTARY: CROW CREEK

QUANTITY: 3.90 CFS
450.00 AFY

PRIORITY DATE: 01/26/1903

POINT OF DIVERSION: T09S R46E S21 SWSESW Within Caribou County
S28 SWSESW
SENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.90 CFS 450.00 AFY

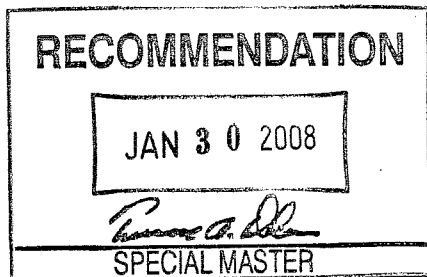
PLACE OF USE:	Irrigation		Within Caribou County
	T09S R46E S21	NESW 15.0	SESW 32.0
		NESE 7.3	NWSE 13.0
		SWSE 13.0	
	S22	NWNE 9.1	SWNE 5.3
		NENW 7.9	SENW 26.0
	128.6 Acres Total		

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
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 24-04017

NAME AND ADDRESS: J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN STREET SUITE 1300
PO BOX 27
BOISE, ID 83707

SOURCE: SAGE CREEK TRIBUTARY: CROW CREEK

QUANTITY: 1.40 CFS

PRIORITY DATE: 09/18/1890

POINT OF DIVERSION: T09S R46E S20 NESESW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.40 CFS

PLACE OF USE:	Irrigation		Within Caribou County
	T09S R46E S21	SWNE 26.0	SENE 16.0
		SENE 6.9	NESW 2.1
		NESE 0.3	NWSE 12.0
	S22	NWNW 1.2	SWNW 5.8
	70.3 Acres Total		

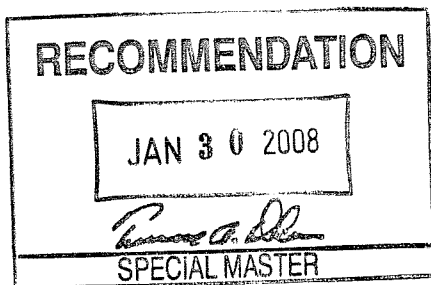
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

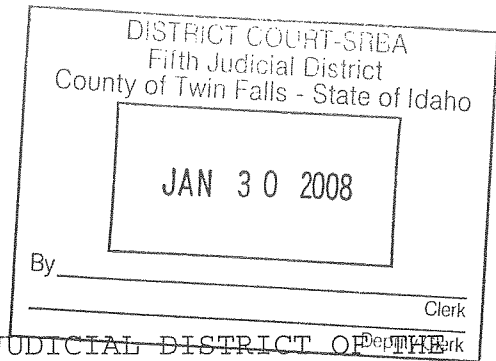
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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John M. Melanson
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 24-04016
24-04017

CERTIFICATE OF MAILING

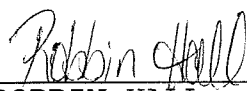
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 30, 2008, with sufficient first-class postage prepaid to the following:

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

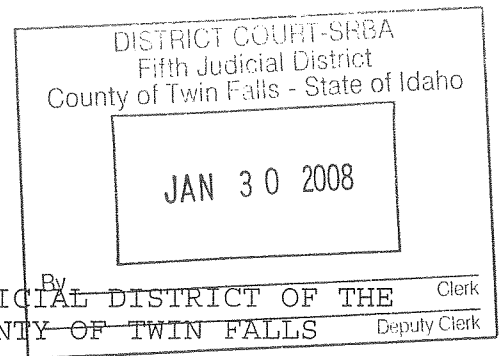
J R SIMPLOT CO
C/O TERRY T UHLING
999 MAIN STREET SUITE 1300
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

J R SIMPLOT CO
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2210

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

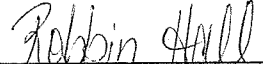
Water Right(s) : 24-04016
24-04017

On January 30, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 30, 2008.


ROBBIN HALL
Deputy Clerk