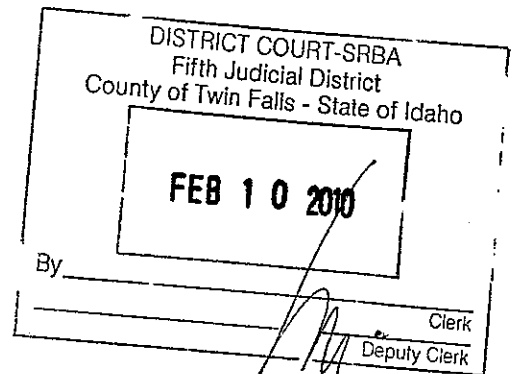


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FEB 11 2010

DEPARTMENT OF
WATER RESOURCES



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

)
)
)
)
)

ORDER OF PARTIAL DECREE

Case No. 39576

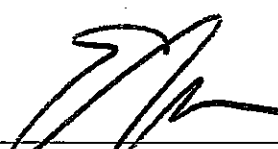
Subcase No. 02-07242D
(Lee)

On December 15, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

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 February 10, 2010.



ERIC J. WILDMAN
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
I.R.C.P. 54(b) FOR

Water Right 02-07242D

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

FEB 10 2010

NAME AND ADDRESS:

MAURICE D LEE
SONYA E LEE
358 W 4TH ST S
REXBURG, ID 83440

SOURCE:

SNAKE RIVER TRIBUTARY: COLUMBIA RIVER By

QUANTITY:

2.42 CFS
605.00 AFY

Clerk

Deputy Clerk

Water shall not be diverted under this right when flows in the
Snake River are below established minimum flow amounts at any of
the following locations: Weiser, 4750 cfs; Johnson Bar, 5000
cfs; Lime Point 13,000 cfs.

PRIORITY DATE:

02/10/1977

POINT OF DIVERSION:

T05S R04E S34 LOT 9 (SESW) Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-15 TO 11-15

QUANTITY
2.42 CFS
605.00 AFY

The use of water for irrigation under this right may begin as
early as March 1 provided other elements of the right are not
exceeded. The use of water before March 15 under this remark is
subordinate to all water rights having no subordinated early
irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE:

Irrigation

Within Owyhee County

T06S R04E S04 LOT 3 (NENW) 9.0 LOT 4 (NWNW) 26.0
SWNW 38.0 SENW 14.0
NESW 34.0

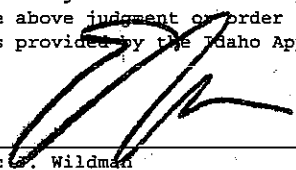
121.0 Acres Total

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.


Eric S. Wildman
Presiding Judge of the
Snake River Basin Adjudication

2010 FEB 10 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 02-07242D

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 02-07242D was mailed
on February 10, 2010, with sufficient first-class postage prepaid
to the following:

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

J.R. SIMPLOT SELF-DECLARATION

Represented by:
GRAY A YOUNG
J R SIMPLOT COMPANY
999 MAIN ST STE 1300
PO BOX 27
BOISE, ID 83707-0027
Phone: 208-336-2110

MAURICE D LEE
MAURICE LEE
SONYA E LEE
SONYA LEE

Represented by:
RAY W. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

PAGE 1
02/10/10