

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2009 SEP 28 AM 9 05

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-07104

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION
REVOCABLE TRUST
PO BOX 27
BOISE, ID 83707-0027

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.92 CFS
1480.00 AFY

The rights listed below are limited to a total combined
diversion rate of 9 cfs. Combined Right Nos.: 2-7103 & 2-7104.

PRIORITY DATE: 10/24/1972

POINT OF DIVERSION: T05S R04E S34 SESW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	5.92 CFS 1480.00 AFY

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

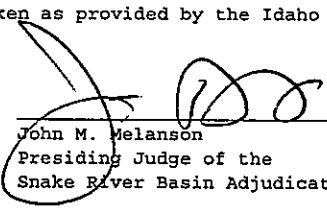
PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R04E S07	NESE 35.0	SWSE 35.0
		SESE 40.0	
	S08	SESW 38.0	
	S17	NWNE 40.0	SWNE 40.0
		SENE 28.0	NENW 40.0
	296.0 Acres Total		

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.



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

RECEIVED
OCT 01 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 SEP 28 AM 9 05

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

ORDER OF PARTIAL DECREES

Subcases: See Attached Exhibit A
(Simplot)

On July 20, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED

September 28, 2009.

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A - J R SIMPLOT

Subcase Nos:

02-02153
02-02154
02-02308
02-02353
02-02423
02-07040
02-07103
02-07104
02-07206
02-10187

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on September 28, 2009, with sufficient first-class postage to the following:

J R SIMPLOT SELF DECLARATION
REVOCABLE TRUST
PO BOX 27
BOISE, ID 83707-0027
Phone: 208-336-2110

J.R. SIMPLOT SELF-DECLARATION
Represented by:
RONALD N. GRAVES
PO BOX 27
BOISE, ID 83707
Phone: 208-389-7312

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

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

Julie Murphy