

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
FILE

2009 SEP 28 AM 9 05

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 02-02308

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

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 23.00 CFS
6760.00 AFY

Right Nos. 02-02308 and 02-10187 are limited to a total combined annual diversion volume of 8527.2 AF.
The rights listed below are limited to a total combined diversion rate of 41.41 cfs. Combined Right Nos.: 02-02308, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-02152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652 and 57-11654.

PRIORITY DATE: 05/20/1964

POINT OF DIVERSION: T05S R04E S34 LOT 9 (SWSESW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-01 TO 11-30	23.00 CFS 6760.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R03E S02	SENE 20.0	
S10	SESE 40.0	
S11	SWNE 35.0	SENE 40.0
	NWNW 40.0	SWNW 40.0
	NESW 36.0	NWSW 38.0
	SWSW 40.0	NWSE 35.0
	SWSE 15.0	SESE 40.0
S12	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENE 40.0
	NESW 30.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	SWSE 30.0	SESE 35.0
S13	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 35.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENE 40.0
S14	NENE 40.0	NWNE 15.0
	SWNE 10.0	SENE 30.0
	NWNW 38.0	SWNW 10.0
	SENE 25.0	
S15	NENE 40.0	SENE 35.0
1352.0 Acres Total		

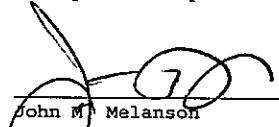
The rights listed below are limited to the irrigation of a combined total of 2071 acres in a single irrigation season.
Combined Right Nos.: 02-02308, 02-7206, 02-10187, 57-00185, 57-00187A, 57-00187B, 57-2152, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, & 57-11654.

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

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DEPARTMENT OF
WATER RESOURCES

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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

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
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J R SIMPLOT COMPANY
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DIRECTOR OF IDWR
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Julie Murphy