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AUG 07 2009

DEPARTMENT OF
WATER RESOURCES

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

AUG - 6 2009

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

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 63-32570 & 63-32571
(J R Simplot Co)

On June 26, 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

August 6, 2009

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 Fifth Judicial District
I.R.C.P. 54(b) FOR County of Twin Falls - State of Idaho
Water Right 63-32570

DISTRICT COURT-SRBA

AUG - 6 2009

By _____

Clerk

Deputy Clerk

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

SOURCE: DIXIE SLOUGH TRIBUTARY: WEST END DRAIN

The source of this water right includes waste water. The wasting
of water may be discontinued at any time.

QUANTITY: 9.64 CFS

Right Nos. 63-32571 and 63-32570 are limited to a total combined
diversion rate of 10.95 cfs.

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre at the field headgate.

PRIORITY DATE: 03/15/1949

POINT OF DIVERSION: T04N R03W S29 NENENE Within Canyon County

The following rights are diverted through point of diversion
described above: 63-32571

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	9.64 CFS

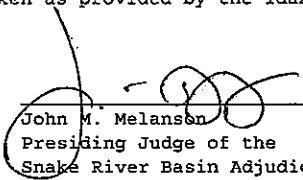
PLACE OF USE:	Irrigation	Within Canyon County
	T04N R03W S19	LOT 3 (NWSW) 37.0
	LOT 4 (SWSW) 35.0	SESW 38.0
	S20	SWSW 33.0
	S29	NENW 40.0
		SESW 36.0
		NWNW 40.0
	S30	SESW 36.0
		NWNE 36.0
	R04W S24	NESE 39.0
		NWSE 34.0
	482.0 Acres Total	

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.



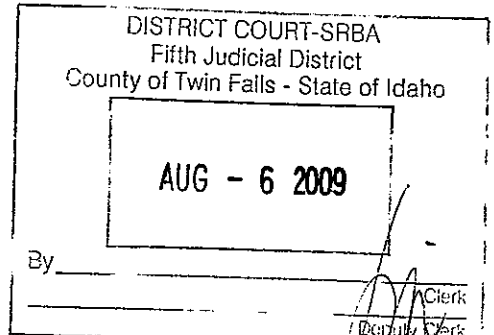
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 63-32571



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

SOURCE: DIXIE SLOUGH TRIBUTARY: WEST END DRAIN

The source of this water right includes waste water. The wasting
of water may be discontinued at any time.

QUANTITY: 2.48 CFS

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre at the field headgate.
Right Nos. 63-32570 and 63-32571 are limited to a total combined
diversion rate of 10.95 cfs.

PRIORITY DATE: 03/15/1957

POINT OF DIVERSION: T04N R03W S29 NENENE Within Canyon County

The following rights are diverted through point of diversion
described above: 63-32570

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	2.48 CFS

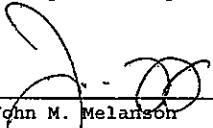
PLACE OF USE:	Irrigation	Within Canyon County
	T04N R03W S19	NESE 2.0 SESE 11.0
	S20	SWSE 38.0 SESE 35.0
	S29	NWNE 38.0
	124.0 Acres Total	

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

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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 August 06, 2009, with sufficient first-class postage to the following:

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

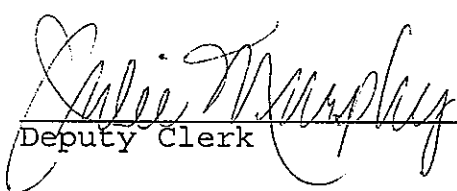
J R SIMPLOT COMPANY
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

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

ORDER

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Deputy Clerk