

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

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 63-21557

2009 JUN 4 AM 9 09

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

SOURCE: GROUND WATER

QUANTITY: 0.46 CFS  
28.10 AFY

PRIORITY DATE: 04/01/1957

POINT OF DIVERSION: T04N R03W S29 SWNW Within Canyon County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY  |
|-------------------------------|----------------|----------------|-----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.46 CFS  |
|                               |                |                | 28.10 AFY |

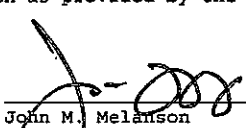
|               |               |                      |
|---------------|---------------|----------------------|
| PLACE OF USE: | Stockwater    | Within Canyon County |
|               | T04N R03W S29 | NWNW SWNW            |

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

DISTRICT COURT SRBA  
TWIN FALLS CO. IDAHO  
FILED  
2009 JUN 4 PM 9 08

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  
(J R Simplot Co)

On March 17, 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 June 4, 2009

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A - J R SIMPLOT CO

Subcase Nos:

63-02731  
63-04968  
63-05038  
63-05039  
63-21557  
63-21598

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 03, 2009, with sufficient first-class postage to the following:

J R SIMPLOT COMPANY

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

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