

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

JUN - 4 2009

By

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

Clerk  
Deputy Clerk

In Re SRBA

Case No. 39576

)  
) **Water Right Nos.: See Attached Exhibit A**  
) **(Simon)**  
)  
) **ORDER OF PARTIAL DECREES**  
)  
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On March 18, 2009, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a transfer in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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

DATED June 4, 2009.

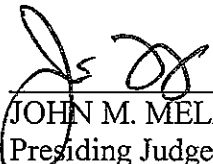
  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A (SIMON)

Subcase Nos:

37-07288A

37-20365

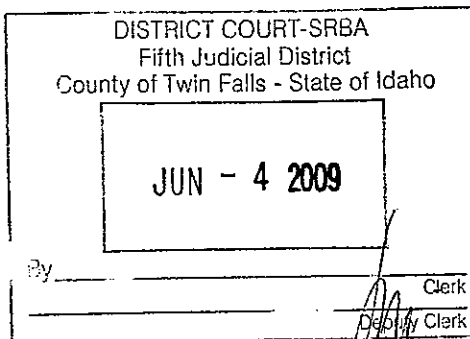
37-20367

37-20369

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 37-07288A



NAME AND ADDRESS: SHIRLEY M SIMON  
WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 1.89 CFS  
618.00 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed a total diversion rate of 2.23 cfs, a total  
annual maximum diversion volume of 747.5 af at the field  
headgate.

PRIORITY DATE: 10/01/1973

POINT OF DIVERSION: T01S R15E S08 SWNWSE Within Camas County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.89 CFS<br>618.00 AFY |

| PLACE OF USE: | Irrigation        | Within Camas County |
|---------------|-------------------|---------------------|
|               | T01S R15E S05     | SESW 40.0           |
|               | S08               | NENE 8.0            |
|               |                   | NWNE 8.0            |
|               |                   | SENE 40.0           |
|               |                   | NWNW 40.0           |
|               |                   | SENW 40.0           |
|               |                   | NWSE 40.0           |
|               |                   | SESE 39.0           |
|               | 494.0 Acres Total |                     |

This right is limited to the irrigation of 206 acres within the  
place of use described above in a single irrigation season.  
Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed the irrigation of 248 acres in a single  
irrigation season.

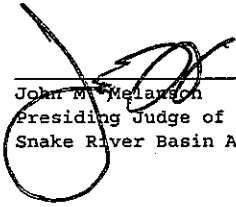
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this  
transfer within one year of the date of this approval.

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.



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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 37-20365

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

JUN - 4 2009

NAME AND ADDRESS: SHIRLEY M SIMON  
WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS  
42.70 AFY

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed a total diversion rate of 2.23 cfs, a total  
annual maximum diversion volume of 747.5 af at the field  
headgate.

PRIORITY DATE: 09/27/1976

POINT OF DIVERSION: T01S R15E S08 SWNWSE Within Camas County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 0.10 CFS<br>42.70 AFY |

| PLACE OF USE: | Irrigation        | Within Camas County |
|---------------|-------------------|---------------------|
|               | T01S R15E S05     | SESW 40.0           |
|               | S08               | NENE 8.0            |
|               |                   | NWNE 8.0            |
|               |                   | SENE 40.0           |
|               |                   | NWNW 40.0           |
|               |                   | SENW 40.0           |
|               |                   | NWSE 40.0           |
|               |                   | SESE 39.0           |
|               | 494.0 Acres Total |                     |

This right is limited to the irrigation of 31 acres within the  
place of use described above in a single irrigation season.  
Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed the irrigation of 248.0 acres.

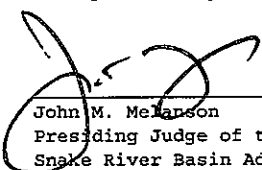
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this  
transfer within one year of the date of this approval.

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.

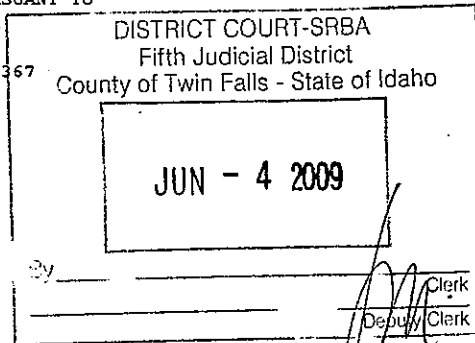


\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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 37-20367



NAME AND ADDRESS: SHIRLEY M SIMON  
WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 0.27 CFS  
115.10 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed a total diversion rate of 2.23 cfs, a total  
annual maximum diversion volume of 747.5 af at the field  
headgate.

PRIORITY DATE: 07/27/1953

POINT OF DIVERSION: T01S R15E S08 SWNWSE Within Camas County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 0.27 CFS<br>115.10 AFY |

| PLACE OF USE: | Irrigation        | Within Camas County |
|---------------|-------------------|---------------------|
|               | T01S R15E S05     | SESW 40.0           |
|               | S08               | NENE 8.0            |
|               |                   | SWNE 40.0           |
|               |                   | SENE 40.0           |
|               |                   | NENW 40.0           |
|               |                   | NWNW 40.0           |
|               |                   | SENW 40.0           |
|               |                   | NESE 40.0           |
|               |                   | NWSE 40.0           |
|               |                   | SESE 39.0           |
|               | 494.0 Acres Total |                     |

This right is limited to the irrigation of 38 acres within the  
place of use described above in a single irrigation season.  
Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed the irrigation of 248.0 acres.

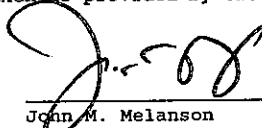
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this  
transfer within one year of the date of this approval.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
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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 )  
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PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 37-20369

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

JUN - 4 2009

NAME AND ADDRESS: SHIRLEY M SIMON  
WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS  
12.00 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed a total diversion rate of 2.23 cfs, a total  
annual maximum diversion volume of 747.5 af at the field  
headgate.

PRIORITY DATE: 10/01/1973

POINT OF DIVERSION: T01S R15E S08 SWNWSE Within Camas County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 0.06 CFS<br>12.00 AFY |

| PLACE OF USE: | Irrigation        | Within Camas County |
|---------------|-------------------|---------------------|
|               | T01S R15E S05     | SESW 40.0           |
|               | S08               | NENE 8.0            |
|               |                   | NWNE 8.0            |
|               |                   | SENE 40.0           |
|               |                   | NWNW 40.0           |
|               |                   | SENW 40.0           |
|               |                   | NWSE 40.0           |
|               |                   | SESE 39.0           |
|               | 494.0 Acres Total |                     |

This right is limited to the irrigation of 4 acres within the  
place of use described above in a single irrigation season.  
Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined  
shall not exceed the irrigation of 248.0 acres.

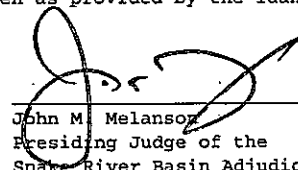
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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

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

SHIRLEY M SIMON  
WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD, ID 83327  
Phone: 208-764-2324

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.