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DEPARTMENT OF
WATER RESOURCES

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

NOV 21 2008

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 DECREE**
)
)
) **For water right: 63-7218**
)
)

A *Director's Report* containing a recommendation for the above-captioned water right claim was filed on December 19, 2006. No objections were filed.

On July 10, 2008, the Idaho Department of Water Resources sent correspondence to the Court regarding certain clerical errors in the recommendation and filed its *Amended Director's Report*. No objections were filed and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water right be decreed in conjunction with the uncontested rights for Basin 63, Part 3 as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

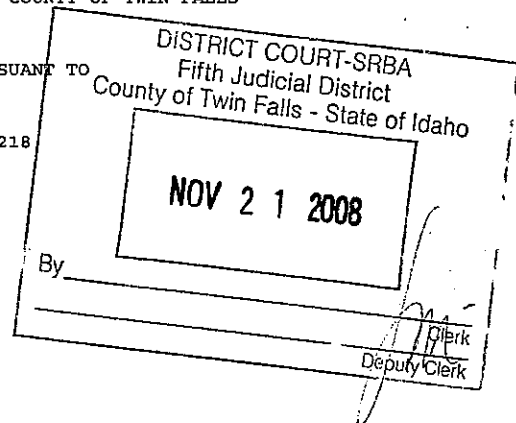
DATED November 21, 2008

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
I.R.C.P. 54(b) FOR
Water Right 63-07218



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: 3.40 CFS
506.50 AFY

Rights 63-7218, 63-10012 and 63-10066 when combined shall not
exceed a total diversion rate of 6.4 cfs.
Rights 63-7218 and 63-10066 when combined shall not exceed a
total annual maximum diversion volume of 1470.5 af.

PRIORITY DATE: 04/18/1969

POINT OF DIVERSION: T03N R02W S08 NWNW Within Canyon County
NWNW
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-31 TO 08-15	0.20 CFS 22.50 AFY
	Industrial	12-01 TO 03-31	2.00 CFS 506.50 AFY
	Fire Protection	01-01 TO 12-31	3.40 CFS

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 May 31 and after August 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.
Industrial use is for a potato processing plant.

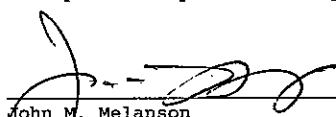
PLACE OF USE:	Irrigation	Within Canyon County
	T03N R02W S08	NWNW 5.0
	5.0 Acres Total	
	Industrial	Within Canyon County
	T03N R02W S08	NWNW NESW
	Fire Protection	Within Canyon County
	T03N R02W S08	NWNW NESW

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on November 21, 2008, with sufficient first-class postage to the following:

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.