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OCT 17 2008

DEPARTMENT OF
WATER RESOURCES

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

OCT 16 2008

By _____

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: 02-10047 & 02-10048
(J. R. Simplot Co.)

On August 20, 2008, 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 October 16, 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 02-10047

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 16 2008	
By _____	Clerk
_____	Deputy Clerk

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

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.24 CFS

PRIORITY DATE: 03/15/1953

POINT OF DIVERSION: T05S R04E S34 LOT 4 (NESWNW) Within Elmore County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	6.24 CFS

PLACE OF USE:	Irrigation	Within Elmore County
	T05S R04E S28	SWSW 19.0 SESW 1.0
	S29	SWNE 34.0 NESW 16.0
		NWSW 8.0 LOT 1 (SWSW) 34.0
		SESW 18.0 NESE 16.0
		NWSE 40.0 SWSE 31.0
		SESE 35.0
	S30	NWNE 12.0 SWNE 36.0
		NENW 38.0 LOT 1 (NWNW) 18.0
	LOT 2	(SENE) 25.0 NESE 33.0
	LOT 3	(NWSE) 21.0 LOT 4 (SESE) 19.0
	S32 LOT 2	(SWNE) 31.0 LOT 1 (SENE) 19.0
	LOT 4	(NWNW) 15.0 LOT 3 (SENE) 41.0
	S33	NENW 11.0 LOT 4 (NWNW) 13.0
	584.0 Acres Total	

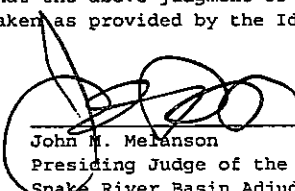
The rights listed below are limited to the irrigation of a combined total of 584 acres in a single irrigation season. Combined Right Nos.: 2-10047, 2-10048, and 110 assessed acres of Snake River Irrigation District. This right is limited to the irrigation of 311 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands.

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.

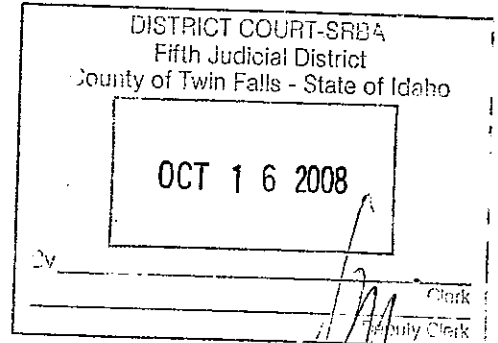


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 02-10048



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

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.05 CFS

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION: T05S R04E S34 LOT 4 (NESWNW) Within Elmore County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 10-31 5.05 CFS

PLACE OF USE: Irrigation Within Elmore County

T05S R04E S28	SWSW 19.0	SESW 1.0
S29	SWNE 34.0	NESW 16.0
	NWSW 8.0 LOT 1	(SWSW)34.0
	SESW 18.0	NESE 16.0
	NWSE 40.0	SWSE 31.0
	SESE 35.0	
S30	NWNE 12.0	SWNE 36.0
	NENW 38.0 LOT 1	(NWNW)18.0
LOT 2	(SENW)25.0	NESE 33.0
LOT 3	(NWSE)21.0 LOT 4	(SESE)19.0
S32 LOT 2	(SWNE)31.0 LOT 1	(SENE)19.0
LOT 4	(NWNW)15.0 LOT 3	(SENW)41.0
S33	NENW 11.0 LOT 4	(NWNW)13.0
584.0 Acres Total		

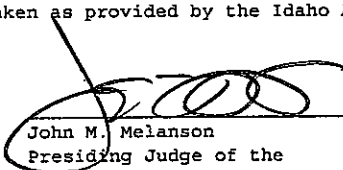
The rights listed below are limited to the irrigation of a combined total of 584 acres in a single irrigation season. Combined Right Nos.: 2-10047, 2-10048, and 110 assessed acres of Snake River Irrigation District. This right is limited to the irrigation of 252 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands.

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 DECREES was mailed on October 16, 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

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

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Deputy Clerk

