

DEPARTMENT OF
NATURAL RESOURCES

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

DEC 11 2007

By _____ Clerk
_____ Deputy Clerk

DISTRICT OF THE

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

**WATER RIGHT NOS.: 37-22186 and
and 37-22187**

On September 28, 2007, 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 22 MAR 11, 2007

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

RECEIVED
DEC 13 2007
DEPARTMENT OF
WATER RESOURCES

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 37-22186

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 11 1976	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: SIMON FARMS INC
PO BOX 403
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 6.08 CFS
1114.80 AFY

The rights listed below are limited to a total combined
diversion rate of 6.08 cfs and to a total combined annual
diversion volume of 2174.8 AF. Combined Right Nos.: 37-22184,
37-22186, and 37-22188.

PRIORITY DATE: 09/21/1976

POINT OF DIVERSION: T01S R15E S17 SENESE Within Camas County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	6.08 CFS 1114.80 AFY

PLACE OF USE:	Irrigation	Within Camas County
	T01S R15E S04	SWNW 5.2 NESW 39.0 SWSW 35.9
	S09	NENW 38.0 SWNW 39.0 NESW 36.0 SWSW 36.0
		SENW 6.1 NWSW 37.0 SESW 30.0 NWNW 39.0 SENW 31.0 NWSW 39.0 SESW 32.0
	443.2 Acres Total	

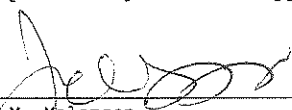
This right is limited to the irrigation of 371.6 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 443.2 acres in a single irrigation season.
Combined Right Nos.: 37-22186 and 37-22188.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-22187

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 11 2005	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: SIMON FARMS INC
PO BOX 403
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 0.63 CFS
115.20 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 279.7 af.

Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af.

Right 37-22187 and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 141.1 af.

PRIORITY DATE: 09/21/1976

POINT OF DIVERSION: T01S R15E S21 SWSENE Within Camas County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.63 CFS
			115.20 AFY

PLACE OF USE:	Irrigation	Within Camas County
	T01S R15E S21	NENE 34.0 NWNE 34.0 SWNE 34.0 SENE 34.0 NESE 34.0 SESE 34.0
	S22	NENW 34.0 NWNW 34.0 SNNW 34.0 SENW 34.0 NWSW 34.0 SWSW 34.0
	408.0 Acres Total	

Rights 37-22187 and 37-22189 when combined shall not exceed a total irrigation of 45.8 acres.

The rights listed below are limited to the irrigation of a combined total of 408 acres in a single irrigation season.
Combined Right Nos.: 37-21724, 37-22185, 37-22187 and 37-22189.

Rights 37-22185, 37-22187 and 37-22189 when combined shall not exceed a total irrigation of 92 acres.

This right is limited to the irrigation of 38.4 acres within the place of use described above in a single irrigation season.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

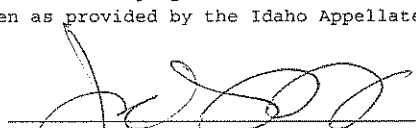
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 December 11, 2007, with sufficient first-class postage to the following:

SIMON FARMS INC
PO BOX 403
FAIRFIELD, ID 83327

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

