

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2004 FEB 5 PM 1 19

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

Water Rights: 43-00099C, *et al.*
See attached Exhibit A
(B43JRSOPD)

On December 22, 2003, a *Special Master's Report and Recommendation* was filed for the above 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 the water rights listed on Exhibit A be **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED February 5, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

43-00099C
43-00100C
43-00101C
43-00102C
43-00104B
43-00105
43-00106
43-00107
43-00275
43-00276
43-00277
43-02536
43-10591
43-10592

(Subcase list: B43JRSOPD)
2/05/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on February 05, 2004, with sufficient first-class postage to the following:

J R SIMPLOT CO
J R SIMPLOT COMPANY
Represented by:
GRAY A. YOUNG
JR SIMPLOT COMPANY
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BOISE, ID 83707
Phone: 208-389-7318

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Represented by:
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DIRECTOR OF IDWR
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ORDER

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FILE COPY FOR 00129

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

CLERK OF DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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Dec-23-2003

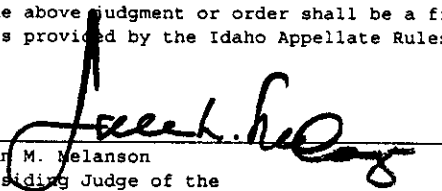
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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