

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 61-07096

2001 APR 12 PM 12:58
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: J R SIMPLOT COMPANY
P O BOX 27
BOISE, ID 83707-0027

SOURCE: GROUNDWATER

QUANTITY: 3.90 CFS
1120.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE
FOR IRRIGATION OF THE LANDS ABOVE.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS
OF DIVERSION UNDER TRANSFER 3793 SHALL NOT EXCEED 3.90 CFS, NOR
TOTAL COMBINED ANNUAL VOLUME OF 1120.0 AF.

PRIORITY DATE: 06/22/1971

POINT OF DIVERSION: T04S R04E S30 SWSE Within Elmore County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.90 CFS 1120.00 AFY

THE PERIOD OF USE FOR THE IRRIGATION DESCRIBED IN THIS
APPROVAL MAY BE EXTENDED TO A BEGINNING DATE OF 4/1 AND AN
ENDING DATE OF 10/31 PROVIDED THAT BENEFICIAL USE OF THE WATER
CAN BE SHOWN AND OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE 4/15 AND AFTER 10/15 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.

PLACE OF USE:	Irrigation	Within Elmore County
	T04S R04E S30	SENE 40.0 NESW 40.0
	LOT 04 (SWSW)40.0	SESW 40.0
		NESE 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	320.0 Acres Total	

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication