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Department of Water Resources

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FILED

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

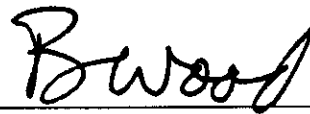
For Water Right 51-07082A

On March 3, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. 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 water right 51-07082A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 12 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 51-07082A

NAME AND ADDRESS: SIMPLOT SELF DECLARATION REVOC
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE, ID 83707

SOURCE: GROUNDWATER

QUANTITY: 3.24 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.58 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3201.6 AF. COMBINED RIGHT
NOS.: 51-02089B, 51-02091, 51-02120, 51-02123, 51-02127,
51-02150, 51-02165, 51-02169, 51-02170, 51-02213B, 51-07047 AND
51-07058.

PRIORITY DATE: 11/20/1973

POINT OF DIVERSION: T07S R06E S22 NENENE Within Owyhee County
S23 NWNWNW
S26 NESWSW
NESENE
NENENW

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NENENW, S26, T07S,
R06E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.24 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 APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Owyhee County
T07S R06E S14	SWNW 40.0	NWSW 40.0
S15	SWSW 40.0	
	NWNE 40.0	SWNE 40.0
	SENE 40.0	SENE 29.0
	NESE 40.0	NWSE 38.0
	SWSE 16.0	SESE 40.0
S22	NENE 24.0	
S23	NWNW 34.0	NESW 27.0
	NWSW 29.0	SWSW 34.0
	SESW 40.0	
S26	SWNE 39.0	SENE 38.0
	NENW 38.0	NWNW 29.0
	SWNW 12.0	SENE 40.0
	NESW 13.0	NWSW 0.4
800.4 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 152.4 ACRES WITHIN

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

PLACE OF USE (continued)

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 800.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02089B, 51-02091,
51-02120, 51-02123, 51-02127, 51-02150, 51-02165, 51-02169,
51-02170, 51-02213B, 51-07047 AND 51-07058.

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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2000 JUN 12 12:00
Department of Water Resources
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

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)
CERTIFICATE OF MAILING

Water Right(s): 51-07082A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 51-07082A was mailed
on June 12, 2000, with sufficient first-class postage prepaid
to the following:

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

JR SIMPLOT SELF-DECLARATION OF

Represented by:
RONALD N. GRAVES
PO BOX 27
BOISE, ID 83707
Phone: 208-389-7312

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
06/12/00

SIMPLOT SELF DECLARATION REVOC
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

DIANA DELANEY
Chief Deputy Clerk