

RECEIVED 27th SEP 13 PM 2:17

SEP 14 2000

SRBA
TWIN FALLS CO., IDAHO
Department of Water Resources 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

) ORDER OF PARTIAL DECREE

Case No. 39576

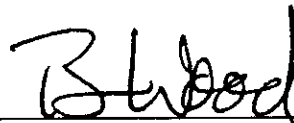
) For Water Right 51-07058
)
)
)
_____)

On June 13, 2000, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended 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 *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 51-07058 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED SEP 13 2000.



BARRY WOOD
Administrative District Judge and
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 51-07058

200 SEP 13 PM 2:17

FILED
TWIN FALLS CO., IDAHO

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

RECEIVED

SEP 14 2000

SOURCE: GROUNDWATER

Department of Water Resources

QUANTITY: 3.78 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.: 51-07082A, 51-02089B, 51-02091, 51-02120, 51-02127,
51-02133, 51-02150, 51-02165, 51-02169, 51-02170, 51-02213B AND
51-07047.

PRIORITY DATE: 11/27/1970

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	03-01 TO 11-30	3.74 CFS
Stockwater	10-15 TO 04-15	0.04 CFS

PLACE OF USE:

	Irrigation		Within Owyhee County
T07S R06E S14	SNNW 40.0		NWSW 40.0
	SWSW 40.0		
S15	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
	SNNW 12.0		SENE 40.0
	NESW 13.0		NWSW 0.4

800.4 Acres Total

	Stockwater		Within Owyhee County
T07S R06E S14	SNNW		NWSW
	SWSW		
S15	NWNE		SWNE
	SENE		SENE
	NESE		NWSE
	SWSE		SESE
S22	NENE		

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

PLACE OF USE (continued)

S23	NWNW	NESW
	NWSW	SWSW
	SESW	
S26	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW

THE IRRIGATION OF A COMBINED TOTAL OF 800.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-07082A, 51-02089B, 51-02091, 51-02120, 51-02127, 51-02133, 51-02150, 51-02165, 51-02169, 51-02170, 51-02213B AND 51-07047.

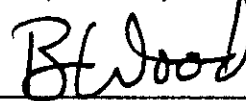
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

RECEIVED

SEP 14 2000

2000 SEP 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 51-07058

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 51-07058 was mailed
on September 13, 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
09/13/00

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