

RECEIVED

JUN 19 2000

Department of Water Resources

200 JUN 16 AM 8:56

DISTRICT COURT - SRBA
TWIN FALLS, 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

ORDER OF PARTIAL DECREE

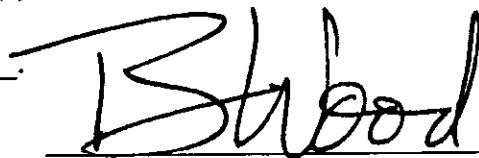
For Water Right 51-02165

On April 11, 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 with the exception of the connectivity and conjunctive management language contained in the *Recommendation* under the "Other Provisions Necessary for Definition of Administration of This Water Right," which inclusion this Court has found to be unnecessary at this time, the Court adopts the elements listed in the Special Master's *Recommendation*.

Therefore, IT IS ORDERED that water right 51-02165 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 16 2000



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

RECEIVED

JUN 19 2000

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 51-02165

2000 JUN 16 AM 8:56

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILEDNAME AND ADDRESS: SIMPLOT SELF DECLARATION REVOC
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE, ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.21 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, 51-02169, 51-02170, 51-02213B, 51-07047 AND
51-07058.

PRIORITY DATE: 11/24/1961

POINT OF DIVERSION: T07S R06E S22 NENENE Within Owyhee County
S23 NWNWNW
NESWSW
S26 NESENE
NENENWTWO 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 0.17 CFS
Stockwater 10-15 TO 04-15 0.04 CFSPLACE OF USE: Irrigation Within Owyhee County
T07S R06E S14 SWNW 40.0 NWSW 40.0
SWSW 40.0
S15 NWNE 40.0 SWNE 40.0
SENE 40.0 SENW 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 SENW 40.0
NESW 13.0 NWSW 0.4
800.4 Acres TotalStockwater Within Owyhee County
T07S R06E S14 SWNW
SWSW
S15 NWNE
SENE
NESE
SWSE
S22 NENE

PLACE OF USE (continued)

S23	MNM	NESM
	MNM	SMS
S26	SENE	SENE
	SENE	SENE
	SENE	SENE
	SENE	SENE
	SENE	SENE
	SENE	SENE
	SENE	SENE
	SENE	SENE

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, 51-02169, 51-02170, 51-02213B, 51-07047 AND 51-07058.

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 be taken as provided by the Idaho Appellate Rules.

Barry Wood

Barry Wood
Administrative District Judge
Snake River Basin Adjudication

RECEIVED

JUN 19 2000

Department of Water Resources

2000 JUN 16 PM 02:00
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 51-02165

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 51-02165 was mailed
on June 16, 2000, with sufficient first-class postage prepaid
to the following:

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

J.R. SIMPLOT SELF-DECLARATION

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
06/16/00

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