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Department of Water Resources

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

2003 JAN 6 AM 11 29

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 43-10426**
)

On October 25, 2002, 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 43-10426 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 6, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2003 JAN 6 AM 11 29

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-10426

NAME AND ADDRESS: J R SIMPLOT CO
PO BOX 27
BOISE, ID 83707

SOURCE: GROUND WATER

QUANTITY: 2.36 CFS
472.80 AFY

PRIORITY DATE: 03/15/1962

POINT OF DIVERSION: T12S R26E S12 NESESE Within Cassia County
S13 SWSWNE
S24 NWNENE
R27E S19 NENESW
SWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.36 CFS 472.80 AFY

PLACE OF USE:	Irrigation	Within Cassia County
T12S R26E S01	SESE 14.0	
S12	NENE 11.0	SENE 14.0
	NESE 32.0	SESE 39.0
S13	NENE 39.0	SWNE 27.0
	SENE 40.0	NESE 39.0
	SESE 39.0	
S24	NENE 39.0	SENE 39.0
R27E S06 LOT 3	(NENW)11.0	LOT 4 (NWNW)21.0
LOT 5	(SWNW)49.0	SENW 30.0
	NESW 30.0	LOT 6 (NWSW)49.0
LOT 7	(SWSW)39.0	
S07 LOT 1	(NWNW)45.0	LOT 2 (SWNW)51.0
	SENW 17.0	NESW 19.0
LOT 3	(NWSW)51.0	LOT 4 (SWSW)51.0
	SESW 38.0	
S18	NENW 40.0	LOT 1 (NWNW)51.0
LOT 2	(SWNW)51.0	SENW 39.0
	NESW 39.0	LOT 3 (NWSW)51.0
LOT 4	(SWSW)51.0	SESW 39.0
S19	NENW 36.0	LOT 1 (NWNW)51.0
LOT 2	(SWNW)51.0	SENW 7.0
1379.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 118.2 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1146 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2378, 43-2484, 43-2522, 43-2547,
43-2548, & 43-10426.

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

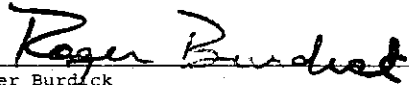
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

2003 JAN 06 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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

In Re SRBA

Case No. 39576

)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 43-10426

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 43-10426 was mailed
on January 06, 2003, with sufficient first-class postage prepaid
to the following:

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

J R SIMPLOT CO
Represented by:
TRAVIS L THOMPSON
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/06/03