

200 MAY -5 PM 12:07

FILED
TWIN FALLS, IDAHO

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

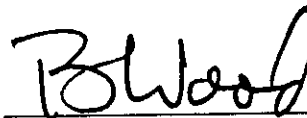
For Water Right 35-04044

On January 31, 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 35-04044 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 3 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 35-04044

200 MAY -5 PM 12:07

FILED
TWIN FALLS CO., IDAHO

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

SOURCE: GROUNDWATER

QUANTITY: 2.24 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02192 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 888 AF.

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION: T05S R31E S35 NWSE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.24 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T05S R31E S35	LOT 03 (SESW)37.0
		NWSE 36.0
	LOT 02 (SWSE)36.0	LOT 01 (SESE)36.0
	222.0 Acres Total	

RECEIVED

MAY 5 - 2000

Department of Water Resources

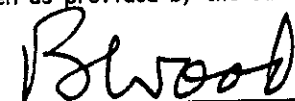
USE OF THIS RIGHT WITH RIGHT NO. 35-02192 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 222 ACRES IN A SINGLE
IRRIGATION SEASON.

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

RECEIVED

MAY 6 - 2000

Department of Water Resources

2000 MAY 05 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): 35-04044

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 35-04044 was mailed
on May 05, 2000, with sufficient first-class postage prepaid
to the following:

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

JR SIMPLOT CO
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

J R SIMPLOT COMPANY
P O BOX 27
BOISE, ID 83707
Phone: 208-389-7317

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/05/00