

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 34-00565

1998 JAN 15 PM 1:06

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

NAME & ADDRESS: SIMMONS TRUST PARTNERSHIP  
HC 63 BOX 1552  
CHALLIS ID 83226-9301

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS  
PARSONS CREEK BIG LOST RIVER

QUANTITY: 0.4 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 10.08 CFS.  
COMBINED RIGHT NOS.: 34-00561, 34-00562, 34-00563, 34-00564,  
34-00694, 34-00693, 34-00324A, 34-00325A AND 34-02310.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T08N R21E S15 NESWN Within CUSTER County  
R22E S13 NWSW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
|                               | IRRIGATION     | Irrigation Season | 0.4 CFS  |

| PLACE OF USE: | IRRIGATION      | Within CUSTER County |         |         |         |
|---------------|-----------------|----------------------|---------|---------|---------|
|               | T08N R22E S24   | SWSW 39              | SESW 38 |         |         |
|               | S25             | NWNE 30              | SWNE 40 | NENW 38 | NWNW 39 |
|               | 264 ACRES TOTAL | SESW 40              |         |         |         |

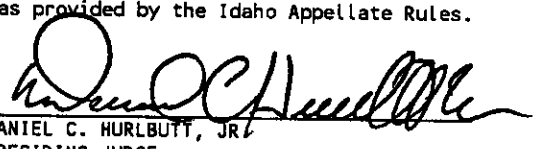
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE  
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 34-00561, 34-00562, 34-00563, 34-00564,  
34-00694, 34-00693, 34-00324A, 34-00325A AND 34-02310.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication