

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 )  
                  ) PARTIAL DECREE PURSUANT TO  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 33-07007

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

SOURCE: GROUNDWATER

QUANTITY: 4.68 CFS  
1326.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 33-02076B IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 10.84 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 1897 AF.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 30.78 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 6748 AF. COMBINED RIGHT  
NOS.: 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07053,  
33-07061.

PRIORITY DATE: 01/27/1969

POINT OF DIVERSION: T05N R29E S01 LOT 04 ( NWNW) Within Butte County  
R30E S05 SWNW  
S06 SENW  
T06N R30E S31 NENE  
S32 LOT 01 ( SESE)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 04-15 TO 09-15 | 4.68 CFS<br>1326.00 AFY |

| PLACE OF USE: | Irrigation                      | Within Butte County |
|---------------|---------------------------------|---------------------|
|               | T05N R29E S01 LOT 01 (NENE)42.0 | LOT 02 (NWNE)42.0   |
|               | SWNE 40.0                       | SENE 40.0           |
|               | LOT 03 (NENW)43.0               | LOT 04 (NWNW)37.0   |
|               | SWNW 39.0                       | SENW 40.0           |
|               | NESW 40.0                       | NWSW 39.0           |
|               | SWSW 38.0                       | SESW 36.0           |
|               | NESE 40.0                       | NWSE 40.0           |
|               | SWSE 36.0                       | SESE 37.0           |
|               | R30E S05 LOT 01 (NENE)42.0      | LOT 02 (NWNE)43.0   |
|               | SWNE 39.0                       | SENE 38.0           |
|               | LOT 03 (NENW)42.0               | LOT 04 (NWNW)42.0   |
|               | SWNW 39.0                       | SENW 39.0           |
|               | NESW 41.0                       | NWSW 40.0           |
|               | SWSW 40.0                       | SESW 40.0           |
|               | NESE 40.0                       | NWSE 41.0           |
|               | SWSE 40.0                       | SESE 39.0           |
|               | S06 LOT 01 (NENE)42.0           | LOT 02 (NWNE)41.0   |
|               | SWNE 36.0                       | SENE 41.0           |
|               | LOT 03 (NENW)42.0               | LOT 04 (NWNW)49.0   |
|               | LOT 05 (SWNW)48.0               | SENW 41.0           |
|               | NESW 37.0                       | LOT 06 (NWSW)46.0   |
|               | LOT 07 (SWSW)45.0               | SESW 41.0           |
|               | NESE 38.0                       | NWSE 25.0           |
|               | SWSE 41.0                       | SESE 41.0           |
|               | 1928.0 Acres Total              |                     |

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

PLACE OF USE (continued)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 442 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 33-02076B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 542 ACRES IN A SINGLE IRRIGATION SEASON.

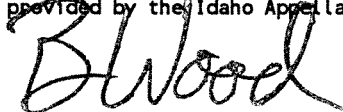
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1928 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07053, 33-07061.

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.

  
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Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication