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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

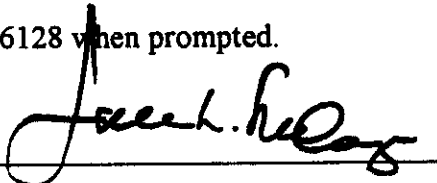
Case No. 39576

) **For Water Rights: 35-13120**
)
) **NOTICE OF COURT'S INTENT TO**
) **ISSUE AMENDED PARTIAL DECREES,**
) **AND NOTICE OF HEARING THEREON**
)

On November 17, 2000, a *Partial Decree* was issued for the above-captioned water rights. On March 4, 2004, this Court received correspondence from the Idaho Department of Water Resources describing a clerical error in the *Partial Decree* for this water right. Specifically, the *Partial Decree* and the IDWR's *Recommendation* contain an error in the legal description of the point of diversion. The point of diversion is described as being Township 7S R35E S14, while the place of use is described as Township 2S R35E S14. The original claim form shows the point of diversion and the place of use to be T2S R35E S14. Given the domestic nature of the groundwater right, the change in the point of diversion's Township in the *Partial Decree* appears to have been a clerical error. Accordingly, it is the Court's intent to issue *Amended Partial Decree*, pursuant to IRCP 60 (a) to correct these errors in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **June 15, 2004 at 1:30 p.m., Pacific Standard Time**, at the Nez Perce County Commissioner's Building, 1225 Idaho St. Lewiston, ID, 83501. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing by the claimant is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

Dated: March 10, 2004

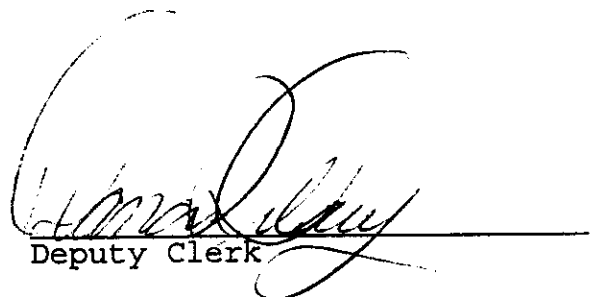

John M. Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE AND NOTICE OF HEARING THEREON was mailed on March 10, 2004, with sufficient first-class postage to the following:

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

BRYCE SARGENT
LAURALYN SARGENT
843 ROBERT ST
BLACKFOOT, ID 83221
Phone: 208-785-5450

A handwritten signature in black ink, appearing to read "L. M. Riley", is written over a horizontal line. The signature is fluid and cursive.

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-13120

NAME AND ADDRESS: BRYCE SARGENT
LAURALYN SARGENT
843 ROBERT ST
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1974

POINT OF DIVERSION: T02S R35E S14 SWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Bingham County
T02S R35E S14 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT 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 issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DRAFT

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication