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Department of Water Resources

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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

) Subcase: 36-8161

)

Case No. 39576

) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE
) TO CONFORM WITH LICENSE, AND
) NOTICE OF HEARING THEREON

On December 13, 2000, a *Partial Decree* was issued for the above-captioned water right. The basis of the claim was a permit issued on March 31, 1983. On May 24, 2002, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* indicating that a license had been issued for this water right, and that the place of use had been changed pursuant to Idaho Code § 42-222. IDWR included a copy of the water right license, which is dated July 7, 1995.

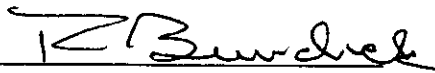
At the time the *Partial Decree* was entered for this water right, the Court was unaware that a license had been issued, as neither the claimant nor IDWR notified the Court thereof. The *Partial Decree* adjudicated the elements of the water right essentially as claimed. The elements set forth in the *Partial Decree* differ significantly from those set forth in the license. However, because the *Partial Decree* is statutorily required to be issued subject to any conditions contained in the license in accordance with Idaho Code section 42-1421, the Court intends to issue an amended partial decree which will conform to the elements of the water right license.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **July 16, 2002 at 1:30 p.m.** at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. A representative from IDWR shall be available to answer any questions the Court may have on this matter.

NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE TO CONFORM WITH LICENSE,
AND NOTICE OF HEARING THEREON
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Dated 6-7-02



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

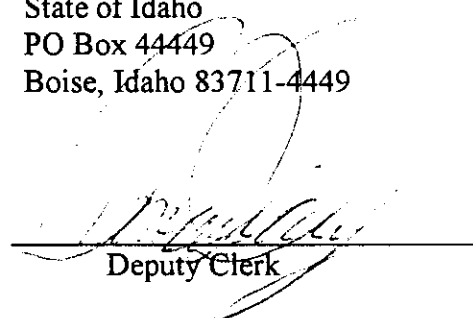
I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE TO CONFORM WITH LICENSE, AND NOTICE OF HEARING THEREON was mailed on June 7, 2002 with sufficient first-class postage to the following:

Director of IDWR
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Deputy Clerk