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Department of Water Resources
Adjudication Bureau

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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: 36-00090F

Case No. 39576

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

On May 15, 2002, an *Amended Partial Decree* was issued for the above-captioned water right. The changes made therein to the previously issued *Partial Decree* (dated December 13, 2000) included a change in the priority date from June 1, 1927 to June 26, 1881. This change was based upon the Special Master's *Findings of Fact and Conclusions of Law*, wherein it is stated: "The priority for these water rights [36-90F and 36-94A] is June 26, 1881, as evidenced by the *International Mortgage Decree*." Upon further review, it appears to the Court that the 1927 priority date is correct, based upon the following:

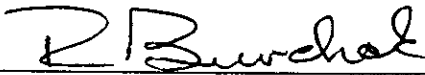
- 1) The Notice of Claim to a Water Right for 36-90F states a priority date of June 1, 1927.
- 2) The Special Master's Recommendation, issued February 23, 1999, states that the priority date is June 1, 1927.
- 3) The 90th right in the New International Mortgage Decree, upon which water right 36-90F is based, has a priority date of June 1, 1927.

Therefore, it is the Court's intent to issue a second amended partial decree to change the priority date of water right 36-90F to June 1, 1927.

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. 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.

Dated 6-10-02



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, AND NOTICE OF HEARING THEREON
was mailed on June 16, 2002 with sufficient first-class postage to the following:

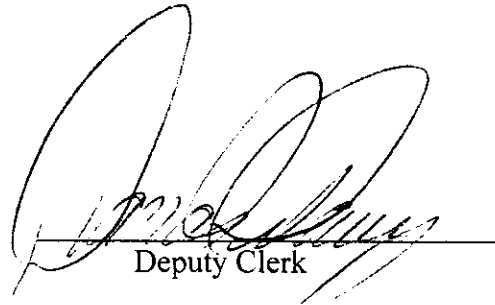
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