

2004 NOV -1 PM 1:37
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) For Water Right: 79-11312
Case No. 39576) NOTICE OF COURT'S INTENT TO
ISSUE AMENDED PARTIAL DECREE,
AND NOTICE OF HEARING THEREON

On September 30, 2004, a **Partial Decree** was issued for the above-captioned water right. Subsequently, the Court was notified by counsel for the United States of a clerical error in the *Standard Form 5 (SF-5)*. The *SF-5* was the basis for the **Partial Decree**. The *SF-5* states a priority date of January 1, 1878. Pursuant to the *Stipulation to Resolve Subcases* entered into between the United States and the State of Idaho on June 11, 1999, the correct priority date for state-based federal claims should be June 28, 1934. The Court finds the error to be the result of a clerical error. Accordingly, it is the Court's intent to an **Amended Partial Decree** to correct this error in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **December 21, 2004, 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. 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: November 1, 2004


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 79-11312

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DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED *jm*

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T30N R01W S05 LOT 6 (NWNWNW) (Instream Ending Point) Within Idaho County
S22 LOT 6 (SENESE) (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Idaho County
	T30N R01W S03 LOT 9 (NWSW)	LOT 9 (SWSW)
	LOT 8 (SESW)	
	S04 LOT 7 (SWNE)	LOT 10 (SENE)
	LOT 5 (NWNW)	LOT 5 (SWNW)
	LOT 6 (SENW)	LOT 10 (NESE)
	S05 LOT 2 (NENE)	LOT 3 (NWNE)
	LOT 5 (NENW)	LOT 6 (NWNW)
	S10 LOT 2 (NWNE)	LOT 3 (SWNE)
	LOT 2 (NENW)	LOT 3 (SENW)
	LOT 6 (NWSE)	LOT 7 (SWSE)
	S15 LOT 2 (NWNE)	LOT 3 (SWNE)
	LOT 6 (NWSE)	LOT 7 (SWSE)
	S22 LOT 2 (NENE)	LOT 2 (NWNE)
	LOT 3 (SENE)	LOT 6 (NESE)

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).

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 November 01, 2004, with sufficient first-class postage to the following:

USDI BLM

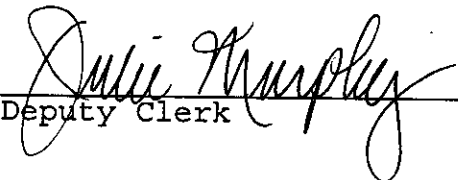
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

NOTICE

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Deputy Clerk