

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 21 2005	
By _____	Clerk
_____	Deputy Clerk

**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: 45-11912
	)
Case No. 39576	) NOTICE OF COURT'S INTENT TO
	) ISSUE AMENDED PARTIAL DECREE,
	) AND NOTICE OF HEARING THEREON
_____	)

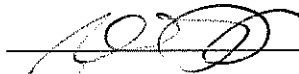
On May 13, 2005, a *Partial Decree* was issued for the above-captioned water right. On December 8, 2005, this Court received correspondence from the Idaho Department of Water Resources describing a clerical error in the *Partial Decree* for this water right. IDWR noticed the error during an administrative proceeding for change of ownership of the right. Specifically, the *Partial Decree* and the IDWR's *Recommendation* contain an error in a comment under the Place of Use Heading. The *Partial Decree* states that the place of use is for 277 acres, but the comment below states that the right, when combined with water right no. 45-7331, "is limited to the irrigation of a combined total of 2777 acres in a single irrigation season" (emphasis added). Water right no. 45-7331 is a groundwater right that was decreed by this Court on May 13, 2005, for the irrigation of 235 acres within a place of use of 277 acres. The comment below water right 45-7331's Place of Use heading limits the place of use for the combined two water rights to 277 acres. The Court finds that the listing of the combined total of 2777 acres on right No. 45-11912 was a clerical error, and should be amended to be listed as 277 acres.

The Court intends to amend the *Partial Decree* in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter at **1:30 p.m., Mountain Standard Time, February 21, 2006 at the Snake River Basin Adjudication Courthouse, 253 3rd Ave N. Twin Falls Idaho**. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Notice of this hearing shall be mailed to both the claimant listed on the *Partial Decree* and the parties who have filed the Change of Ownership with IDWR. 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: Dec 19, 2005.



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 December 21, 2005, with sufficient first-class postage to the following:

CAROL MC FARLAND
DON MC FARLAND
PO BOX 268
EDEN, ID 83325-0268
Phone: 208-825-5256

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