

RECEIVED

JAN 12 2006

DEPARTMENT OF
WATER RESOURCES

2006 JAN 11 PM 2:13

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 51-07109
)
Case No. 39576) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE
) TO CORRECT CLERICAL ERROR;
) I.R.C.P. 60(a)
)
) NOTICE OF HEARING THEREON

I. BACKGROUND

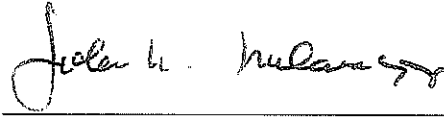
On December 1, 2000, a *Partial Decree* was issued to the Bruneau Water and Sewer District for the above-captioned water right. The *Partial Decree* was issued based upon the *Director's Report*, with no objections having been filed thereto. It has come to the Court's attention that the *Partial Decree* contains a clerical error regarding the place of use for the municipal purpose of the water right. Accordingly, the Court intends to issue an amended partial decree for the purpose of correcting this error. Attached hereto are copies of the previously issued *Partial Decree* and the proposed amended partial decree.

II. ORDER AND NOTICE OF HEARING

Therefore, it is **hereby ordered** that the owner of this water right shall have until **5:00 p.m. on February 28, 2006**, to review the proposed amended partial decree and submit objections, if any, to the Court. **A hearing will be held on the matter on April 18, 2006, at 1:30 p.m. at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho.** Telephone participation will be available by **dialing 918-583-3445 and entering code 406128.** Participation in the hearing is not

mandatory. After the hearing, and in the absence of any objections, the amended partial decree will be forthwith summarily entered as proposed.

Dated 1/11/2006



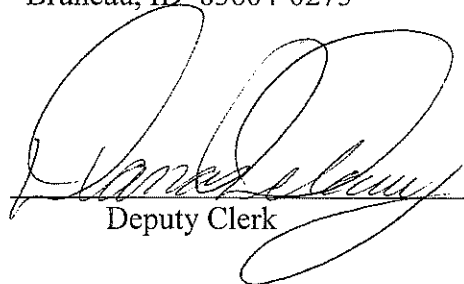
John Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR was mailed on 1/11/06 with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Bruneau Water and Sewer District
PO Box 275
Bruneau, ID 83604-0275


Deputy Clerk

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 51-07109

DRAFT

NAME AND ADDRESS: BRUNEAU WATER AND SEWER DISTRI
 PO BOX 275
 BRUNEAU, ID 83604-0275

SOURCE: GROUNDWATER

QUANTITY: 0.22 CFS
 91.20 AFY

PRIORITY DATE: 07/20/1976

POINT OF DIVERSION: T06S R05E S24 SESESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.22 CFS 91.20 AFY

PLACE OF USE: Municipal Within Owyhee County
 Same as See Remarks

PLACE OF USE IS WITHIN THE SERVICE AREA OF THE CITY OF BRUNEAU
MUNICIPAL WATER SUPPLY SYSTEM AS PROVIDED FOR UNDER IDAHO LAW

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

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.

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

