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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 84-07181
	)
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

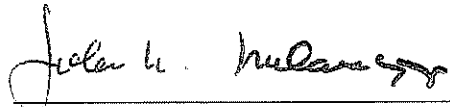
On May 18, 2005, a *Partial Decree* was issued to the City of Pierce, Idaho for the above-captioned water right. The *Partial Decree* was issued based upon the *Director's Report*, with no objections having been filed thereto. It has come to the Court's attention that the *Partial Decree* contains a clerical error regarding the place of use for the municipal purpose of the water right. Specifically, the *Partial Decree* contains a remark stating that the place of use is described by a digital boundary, when in fact it is not. 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 Jan. 11, 2006



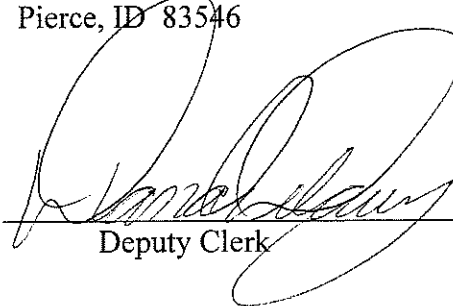
John Melanson
Presiding Judge
Snake River Basin Adjudication

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 1/6/2006 with sufficient first-class postage to the following:

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

City of Pierce
PO Box 356
Pierce, ID 83546


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 84-07181

DRAFT

NAME AND ADDRESS: CITY OF PIERCE
PO BOX 356
PIERCE, ID 83546

SOURCE: CANAL CREEK TRIBUTARY: OROFINO CREEK

QUANTITY: 5.00 AFY

PRIORITY DATE: 12/12/1983

POINT OF DIVERSION: T37N R05E S35 NWESW Within Clearwater County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal Storage	01-01 TO 12-31	5.00 AFY
	Municipal from Storage	01-01 TO 12-31	5.00 AFY

PLACE OF USE:	Municipal Storage		Within Clearwater County
	T37N R05E S35	NESW	SESW
	Municipal from Storage		Within Clearwater County
	T36N R05E S02 LOT 1	(NENE) SWNE	LOT 2 (NWNE) SENE
	LOT 3	(NENW) SWNW NESW SWSW	LOT 4 (NWNW) SENW NWSW SESW
	LOT 5	(NESE)	NWSE
	LOT 6	(NWSE)	(SWSE)
	T37N R05E S34	NESE	SESE
	S35	NWSW SESW	SWSW SWSE

Place of use is within the service area of the City of Pierce
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).

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 84-07181

COURT

NAME AND ADDRESS: CITY OF PIERCE
PO BOX 356
PIERCE, ID 83546

SOURCE: CANAL CREEK TRIBUTARY: OROFINO CREEK
QUANTITY: 5.00 AFY
PRIORITY DATE: 12/12/1983
POINT OF DIVERSION: T37N R05E S35 NWNESW Within Clearwater County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Municipal Storage 01-01 TO 12-31 5.00 AFY
Municipal from Storage 01-01 TO 12-31 5.00 AFY

PLACE OF USE: Municipal Storage Within Clearwater County
T37N R05E S35 NESW SESW
Municipal from Storage Within Clearwater County
T36N R05E S02 LOT 1 (NENE) LOT 2 (NWNE)
SWNE SENE
LOT 3 (NENW) LOT 4 (NWNW)
SWNW SENW
NESW NWSW
SWSW SESW
LOT 5 (NESE) NWSE
LOT 6 (NWSE) LOT 8 (SWSE)
T37N R05E S34 NESE SESE
S35 NWSW SWSW
SESW SWSE

Place of use is within the service area of the City of Pierce municipal water supply system as provided for under Idaho Law. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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).