

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 7 2006

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

Case No. 39576

) For Water Right: 36-16219

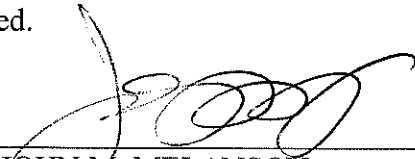
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE,
) AND NOTICE OF HEARING THEREON

On October 31, 2005, a *Partial Decree* was issued for the above-captioned water right. Subsequently, the Court was notified by the Idaho Department of Water Resources of a clerical error in an *Amended Director's Report* previously filed on August 2, 2004. The *Amended Director's Report* was the basis for the *Partial Decree*. The Place of Use element on the *Amended Director's Report* included 20 acres in the SESE of Township 08 South, Range 22 East, Section 25 and 14 acres in the SENW of Township 08 South 22 East, Section 25. According to IDWR, these 34 acres are actually located in Township 08 South, Range 21 East.

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 **April 18, 2005, 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: March 2, 2006


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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 36-16219

NAME AND ADDRESS: GLANBIA FOODS
1373 FILLMORE ST
TWIN FALLS, ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.33 CFS
1600.00 AFY

RIGHTS 36-16213, 36-16215, 36-16217 AND 36-16219 ARE LIMITED TO
COMBINED DIVERSION RATE OF 4.92 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1600.0 AF.

PRIORITY DATE: 05/26/1971

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO
SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE
SUPERIOR RIGHT.

POINT OF DIVERSION: T08S R21E S24 NESESW Within Jerome County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.33 CFS 1600.00 AFY

PLACE OF USE:	Irrigation	Within Jerome County
	T08S R21E S24	NESW 40.0 SESW 40.0
		NESE 32.8 NWSE 11.2
	S25	NENE 40.0 NWNE 40.0
		SWNE 31.0 SENE 20.0
		NENW 40.0 SENW 14.0
	R22E S30 LOT 1	(NWNW) 40.0
	LOT 2	(SNNW) 35.0
	LOT 3	(NWSW) 16.0
	400.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.3 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND
WHEN COMBINED WITH RIGHTS 36-16213, 36-16215 AND 36-16217 IS
LIMITED TO 400.0 ACRES.

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

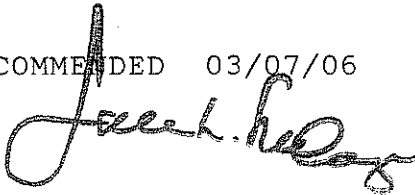
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 36-16213,
AND 36-16215 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.

RECOMMENDED 03/07/06



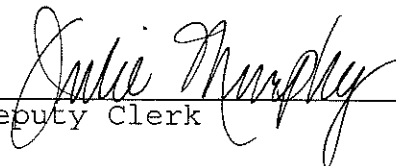
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 March 07, 2006, with sufficient first-class postage to the following:

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

GLANBIA FOODS
1373 FILLMORE ST
TWIN FALLS, ID 83301

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".