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JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

WATER-10041-GRDA
TWIN FALLS CO., IDAHO
FILED _____

2007 JAN 17 PM 3 34

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

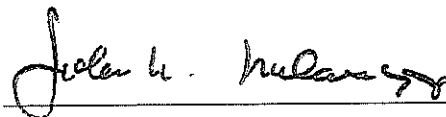
Case No. 39576

-) NOTICE OF COURT'S INTENT
-) REMOVE 13,000 GALLONS PER DAY
-) VOLUME LIMITATION REMARK FOR
-) UNCONTESTED WATER RIGHT AND
-) NOTICE OF HEARING THEREON
-)
-) For Water Right: 63-4708
-)

The Director's Report from Basin 63 Area was filed on December 16, 2005, and included a recommendation for the above-captioned water right claim. No objections were filed. A hearing in the uncontested rights for Basin 63 was held December 19, 2006. Following a review of the recommendation to issue the *Partial Decree* the Court identified a discrepancy therein. Correspondence from IDWR instructed that the recommendation shall not have included the 13,000 gal per day limitation. In addition, a condition regarding historical use was also included, which read, "The quantity of water decreed for this water right is not a determination of historical beneficial use." Pursuant to correspondence between this Court and IDWR, the Court intends to issue the *Partial Decree* for the above-captioned right in accordance with the attached.

Therefore, IT IS HEREBY ORDERED that a hearing will be held on this matter on April 17, 2007 at 1:30 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: January 17, 2007



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

In Re SRBA }
 }
Case No. 39576 }
_____) Water Right 63-04708

NAME AND ADDRESS: RIM ACRES MUTUAL WATER CORP
 CHARLES Q MINER
 7150 RIM ACRES LN
 BOISE, ID 83709

SOURCE: GROUND WATER

QUANTITY: 0.25 CFS
 15.60 AFY

PRIORITY DATE: 07/14/1955

POINT OF DIVERSION: T03N R02E S30 LOT 4 (NWSWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.25 CFS
			15.60 AFY

Domestic use is for 13 homes.

PLACE OF USE:	Domestic	Within Ada County
	T03N R02E S30 LOT 4 (SWSW)	SESW

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.

DRAFT

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 REMOVE VOLUME LIMITATION REMARK & NOTICE OF HEARING was mailed on January 17, 2007, with sufficient first-class postage to the following:

RIM ACRES MUTUAL WATER CORP
CHARLES Q MINER
7150 RIM ACRES LN
BOISE, ID 83709
Phone: 208-362-2864

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