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DEPARTMENT OF
WATER RESOURCES

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

JAN 23 2007

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

Case No. 39576

Water right claim: 63-7110

NOTICE OF COURT'S INTENT TO
CORRECT PLACE OF USE ELEMENT AND
DELETE OF PARTIAL DECREE PRIOR TO
ISSUANCE

On January 8, 2007, Special Master Theodore Booth received a notification from the Idaho Department of Water Resources recommending certain changes be made to the *Partial Decree* for water right **63-7110** prior to its issuance. Specifically, as pertains to the Place of Use element of the water right, there needs to be a reduction in the total recommended acres. At present, the boundary dimensions are listed as 41.0 acre quarter-quarters, the total summation equaling 320.0 acres. Per correspondence with IDWR, the dimensions should properly read 40.0 acre quarter-quarters where 41.0 acre quarter-quarters are listed, and a total acreage of 314.0 where 320.0 acres is presently listed. A copy of the corrected *Partial Decree* is attached hereto.

Upon review, the Court finds that these changes are proper and no undue prejudice to interested parties of the water right will result. Therefore, it is the Court's intent to make the above-mentioned corrections prior to issuing this *Partial Decree* for water right **63-7110**. A 30-day objection period will ensue from the date of this order to allow for any objections to be filed. If no objections are filed during that time, the Court will order the changes be made as set forth above and reflected in the attachment.

Dated: January 22, 2007.

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

NOTICE OF COURT'S INTENT TO CORRECT PLACE OF USE ELEMENT
AND DELETE A PROVISION OF PARTIAL DECREE PRIOR TO ISSUANCE

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 63-07110

NAME AND ADDRESS: MONUMENT RIDGE RANCH
SUBDIVISION HOMEOWNERS ASSN
C/O AMI
PO BOX 5714
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 4.00 CFS
1440.00 AFY

PRIORITY DATE: 06/03/1968

POINT OF DIVERSION: T05N R01W S31 NWNE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.00 CFS
			1440.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T05N R01W S31	NENE 40.0
		NWNE 40.0
		SENE 40.0
		NENW 40.0
	LOT 1	(NWNW) 37.0
	LOT 2	(SWNW) 37.0
	SENW 40.0	
	314.0 Acres Total	

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 CORRECT PLACE OF USE ELEMENT AND DELETE OF PARTIAL DECREE PRIOR TO ISSUANCE was mailed on January 23, 2007, with sufficient first-class postage to the following:

MONUMENT RIDGE RANCH
SUBDIVISION HOMEOWNERS ASSN
C/O AMI
PO BOX 5714
BOISE, ID 83705
Phone: 208-385-9650

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.