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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 14 PM 3 20

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

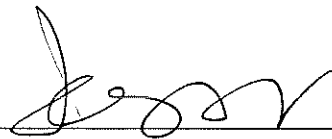
Case No. 39576

) For Water Right: 32-10085
)
) NOTICE OF COURT'S INTENT TO
) CORRECT CLERICAL ERROR, AND
) NOTICE OF HEARING THEREON
)
)
)

A *Partial Decree* was issued for the above-captioned water right on March 5, 1999. Subsequently, on May 24, 1999, the United States filed a *Motion for Relief from Partial Decree to Correct Clerical Mistake* seeking a correction in the legal description for the "Place of Use" element consistent with the *Standard Form 5*. Thereafter, in the *Special Master's Recommendation*, a clerical error was made by describing the "Purpose of Use" element as an "Aesthetic from Storage" right rather than a "Stockwater" right. This error was carried forward into the *Partial Decree*. Therefore, it is the Court's intent to correct the clerical error by replacing "Aesthetic from Storage" with "Stockwater" for this water right in accordance with the attached draft Partial Decree.

IT IS ORDERED that a hearing will be held on this matter on **August 21, 2007, 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: May 14, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 32-10085

DRAFT

NAME AND ADDRESS: MIDDLE CREEK RANCH
PO BOX 251
DUBOIS, ID 83423

SOURCE: MIDDLE CREEK TRIBUTARY: MEDICINE LODGE CREEK

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T12N R34E S07 NENENW (Instream Beginning Point) Within Clark County
SWNWSE (Instream Ending Point)
SWSWSE (Instream Beginning Point)
SENWNE (Instream Ending Point)
S29

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE:	Stockwater		Within Clark County
	T12N R34E S07	SWNE	NENW
		SENW	NWSE
		SWSE	
	S18	NWNE	SWNE
		NWSE	SWSE
		SESE	
	S19	NENE	
	S20	NWNW	SWNW
		NESW	NWSW
		SESW	SWSE
	S29	NWNE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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).

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO CORRECT CLERICAL ERROR AND NOTICE OF HEARING THEREON was mailed on May 14, 2007, with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
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BOISE, ID 83724

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PO BOX 251
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