

2007 JUN 14 PM 1 42

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	)	Subcases 63-00329B, 63-00330B,
	)	63-00331B, 63-00332, and 63-00379
Case No. 39576	)	
	)	NOTICE OF HEARING ON STANDARD
	)	FORMS 5
	)	

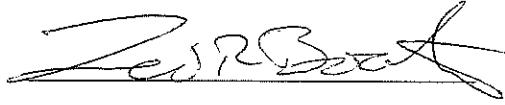
The *Notices of Claim* for each of the above-captioned water rights include a claim for stockwater use in sections 26, 27, 31, and 36, T02N, R02E. The *Director's Report* recommended stockwater use as claimed only for the most senior of these claims, 63-00329B. The irrigation place of use for 63-00329B is described by stating: "the boundary encompassing the place of use for this water right is described with a digital boundary . . ." Because the stockwater place of use does not entirely fall within the digital boundary for the irrigation place of use, the above-quoted language should perhaps be modified to make it clear that the digital boundary is describing the "irrigation place of use." In other words, this Special Master is concerned that any ambiguities be cleared up concerning the stockwater place of use – whether within or outside of the digital boundary for the irrigation place of use.

Another concern is regarding subcase 63-00379, which includes a purpose of use of "stockwater from storage." The place of use, however, is solely described as the digital boundary for the irrigation place of use – which would exclude the use of stockwater from storage for any land that falls outside of the digital boundary. Accordingly, this Special Master would like to hear from the parties and IDWR to make sure that the partial decrees for these rights accurately describe the scope of the rights.

A hearing will be held to discuss these matters on **July 10, 2007, at 4:00 P.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue

North, Twin Falls, Idaho. Parties may participate by telephone by dialing 1-225-383-1099 participation code 675342

Dated June 14, 2007

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF HEARING ON STANDARD FORMS 5 was mailed on June 14, 2007, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

PLEASANT VALLEY IRR CO
C/O TERRY COPPLE ESQ
PO BOX 1583
BOISE, ID 83701
Phone: 208-342-3658

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