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JUL 03 2007

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUL - 2 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

) NOTICE OF COURT'S INTENT TO  
) ISSUE AMENDED PARTIAL DECREE,  
) AND NOTICE OF HEARING THEREON  
)  
) For Water Right: 36-02373  
)

On November 14, 2005, this Court issued a *Partial Decree* for water right 36-02373 as recommended in a *Special Master's Report and Recommendation*. On July 2, 2007, the Idaho Department of Water Resources (IDWR) contacted the Court in writing regarding a clerical error in its recommendation for the place of use descriptions for this right. The clerical error was carried over into the *Special Master's Report and Recommendation* and, ultimately, into the *Partial Decree*. Accordingly, it is the Court's intent to make the appropriate corrections and issue the *Amended Partial Decree* for water right 36-02373 as attached.

Therefore, IT IS ORDERED that a hearing be held on this matter at 1:30 p.m. on **October 16, 2007** at the Snake River Basin Adjudication Courthouse, 253 3<sup>rd</sup> 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: July 2, 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

**AMENDED**

In Re SRBA                                 )  
                                                      )  
Case No. 39576                            )  
\_\_\_\_\_)                                         Water Right 36-02373

NAME AND ADDRESS:           WALKER FARMS PARTNERSHIP  
                                  3794 E 3600 W  
                                  HANSEN, ID 83334

SOURCE:                       GROUNDWATER

QUANTITY:                    3.22 CFS  
                                 1424.00 AFY

PRIORITY DATE:              01/16/1959

POINT OF DIVERSION:       T08S R18E S36               SWNESE   Within Jerome County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 3.22 CFS<br>1424.00 AFY |

| PLACE OF USE: | Irrigation        |            | Within Jerome County |
|---------------|-------------------|------------|----------------------|
|               | T08S R18E S36     | NENE 16.0  | NWNE 34.0            |
|               |                   | SWNE 40.0  | SENE 36.0            |
|               |                   | NESE 40.0  | NWSE 40.0            |
|               |                   | SWSE 40.0  |                      |
|               | R19E S31 LOT 2    | (SWNW)12.0 | SENW 10.0            |
|               |                   | NESW 27.0  | LOT 3   (NWSW)21.0   |
|               | S36               | SESE 40.0  |                      |
|               | 356.0 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 ISSUE AMENDED PARTIAL DECREE AND NOTICE OF HEARING THEREON was mailed on July 02, 2007, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:  
CLIVE STRONG  
NATURAL RESOURCES  
DEP AG OFFICE OF ATTY GEN  
STATEHOUSE MAIL  
BOISE, ID 83720-0010  
Phone: 208-334-2400

CAROL & DON MC FARLAND  
WALKER FARMS PARTNERSHIP

Represented by:  
WILLIAM R HOLLIFIELD  
249 THIRD AVENUE EAST (83301)  
PO BOX 66  
TWIN FALLS, ID 83303-0066  
Phone: 208-734-5610

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

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