

2007

DEPARTMENT OF
WATER RESOURCES

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

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

Subcase 63-31965

Case No. 39576

**NOTICE OF INTENT TO CORRECT
CLERICAL ERROR AND ISSUE AMENDED
PARTIAL DECREE**

On December 16, 2005 the *Director's Report (Idaho Department of Water Resources, Director's Report, Basin 63, Part II)* was filed and included a recommendation for the above-captioned water right claim. No objections were filed to the director's recommendation. Prior to the hearing held on the uncontested rights for Basin 63, the Court discovered a clerical error in the recommendation; to wit: there was an error regarding the total quantity of the water right. The Court withheld issuance of the partial decree. On July 19, 2007, the Court received correspondence from the Idaho Department of Water Resources confirming the clerical error in the *Director's Report* regarding the quantity of the irrigation acreage discrepancy for the water right. The Quantity element stated 0.12 cfs was designated as the total quantity of the right, when the total quantity is 0.08 cfs – as described under Quantity under the Period of Use element.

Therefore, it is the intent of the Court to issue a ***Partial Decree*** for this water right consistent with the attached draft ***Partial Decree***. If any party shall have an objection to the intended changes, they may submit any objections to the Court and a hearing will then be held on the matter. The deadline for receipt of such objections is August 28, 2007. However, if there are no objections, a ***Partial Decree*** will be issued.

DATED: July 30, 2007


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adju

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-31965

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 JUL 31 AM 5 44

NAME AND ADDRESS: DIANA F HANSON
GARY HANSON
1921 E MARY LN
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
18.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-9869 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 40.5 AF.

PRIORITY DATE: 01/11/1982

POINT OF DIVERSION: T03N R01E S32 SWNW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.08 CFS 18.00 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 OR
LATE 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
T03N R01E S32 SWNW 4.0
4.0 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

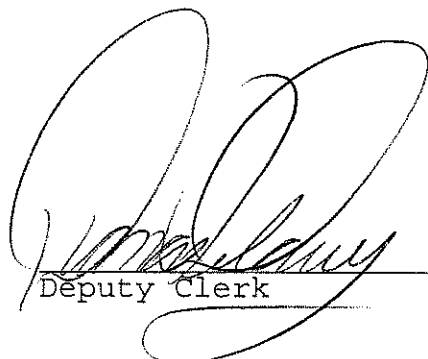
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF INTENT TO CORRECT CLERICAL ERROR AND ISSUE AMENDED PARTIAL DECREE was mailed on July 31, 2007, with sufficient first-class postage to the following:

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

DIANA F HANSON
GARY HANSON
1921 E MARY LN
MERIDIAN, ID 83642
Phone: 208-887-6565

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk, is written over a horizontal line.