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DEPARTMENT OF
WATER RESOURCES

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

JAN - 7 2008

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 TO
CORRECT CLERICAL ERROR AND
NOTICE OF HEARING THEREON

For Water Right: 35-02661D

A *Partial Decree* was issued for the above-captioned water right on January 31, 2002. On December 28, 2007, the Court received correspondence from the Idaho Department of Water Resources describing a clerical error in the place of use element. The quantity element also erroneously included a combined use limitation remark. The error initially appeared in the *Director's Report* and was carried forward into the *Partial Decree*. The Court finds the error to be the result of a clerical error and intends to correct the error in accordance with the attached draft *Partial Decree*.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **Tuesday, April 15, 2008, at 1:30 p.m. (Mountain Time)** at the Snake River Basin Adjudication District Court, 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: January 9, 2008


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

NOTICE OF COURT'S INTENT TO AMEND PARTIAL DECREE TO CORRECT CLERICAL ERROR

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-02661D

NAME AND ADDRESS: ALVINA JONAK
DAVID R JONAK
ROBERT R JONAK
5665 W ARCO HWY
IDAHO FALLS, ID 83402

SOURCE: GROUNDWATER

QUANTITY: 1.24 CFS
324.00 AFY

PRIORITY DATE: 02/21/1961

POINT OF DIVERSION: T02N R36E S05 NWNENW Within Bonneville County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.24 CFS
			324.00 AFY

PLACE OF USE:	Irrigation	Within Bonneville County
	T02N R36E S08	NENW 36.0
		SENEW 37.0
	81.0 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 TO CORRECT CLERICAL ERROR AND NOTICE OF HEARING THEREON was mailed on January 07, 2008, with sufficient first-class postage to the following:

ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C FEREDAY
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

FREMONT-MADISON IRR DIST

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

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PO BOX 83720
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