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AUG 26 2008

DEPARTMENT OF
WATER RESOURCES

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

AUG 25 2008

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 DECREES TO
CORRECT CLERICAL ERROR AND
NOTICE OF HEARING THEREON

For Water Rights: 74-15773 and 74-15774

Partial Decrees were issued for the above-captioned water rights on December 10, 2008. On August 20, 2008, the Court received correspondence from the Idaho Department of Water Resources describing errors in the description of the Point of Diversion. The Court finds this to be the result of a clerical error. The Point of Diversion should read T20N R24E S31 NWNE. Accordingly, it the intent of the Court to issue *Amended Partial Decrees* for the above-captioned water right as set forth in the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **Tuesday, November 18, 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: August 25, 2008

JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

NOTICE OF INTENT TO ISSUED AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR;
I.R.C.P 60(a)

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 74-15773

DRAFT

NAME AND ADDRESS: IAS MACIESKI LLC
3282 E 65TH ST
IDAHO FALLS, ID 83406

SOURCE: KENNEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 11/01/1877

POINT OF DIVERSION: T20N R24E S29 NESW Within Lemhi County
S31 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.32 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T20N R24E S30	SENW 11.3
	13.1 Acres Total	NESW 1.8

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

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 74-15774

DRAFT

NAME AND ADDRESS: KENNEY CREEK RANCH & LAND LLC
PO BOX 101
TENDON, ID 83468-0101

SOURCE: KENNEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.21 CFS

PRIORITY DATE: 11/01/1877

POINT OF DIVERSION: T20N R24E S29 NESW Within Lemhi County
S31 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.21 CFS

PLACE OF USE:	Irrigation	Within Lemhi County	
	T20N R24E S30	SENW 1.7	NESW 17.1
		NWSE 22.6	SWSE 8.2
	49.6 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
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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 DECREES TO CORRECT CLERICAL ERROR AND NOTICE OF HEARING THEREON was mailed on August 25, 2008, with sufficient first-class postage to the following:

KENNEY CREEK RANCH & LAND LLC
PO BOX 101
TENDOY, ID 83468-0101

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

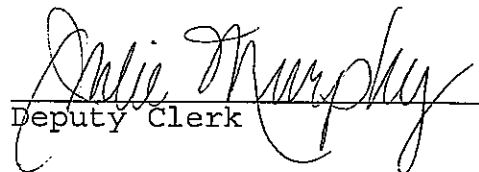
IAS MACIESKI LLC
3282 E 65TH ST
IDAHO FALLS, ID 83406

NOTICE

Page 1 8/25/08

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Deputy Clerk

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