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DEPARTMENT OF
WATER RESOURCES

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

DEC - 5 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

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: 86-04235

A *Partial Decree* was issued for the above-captioned water right on February 24, 2005. On December 3, 2008, the Court received correspondence from the Idaho Department of Water Resources indicating an error in the *Partial Decree*. A copy of the correspondence was also sent to the claimant. The quantity element of the water right was reported incorrectly. The Court finds this to be the result of a clerical error. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the clerical error in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **Tuesday, February 17, 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:

Dec. 4, 2008

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 86-04235

NAME AND ADDRESS: CITY OF KENDRICK
PO BOX 195
KENDRICK, ID 83537

SOURCE: GROUND WATER

QUANTITY: 0.078 CFS

PRIORITY DATE: 04/01/1952

POINT OF DIVERSION: T38N R03W S25 NWNENE Within Latah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.078 CFS

PLACE OF USE:	Municipal	Within Latah County
	T38N R02W S19 LOT 2 (SNNW)	LOT 3 (NNSW)
	LOT 4 (SSW)	
	S30 LOT 1 (NNNW)	
	R03W S24	SENE
		SESW
		NWSE
		SESE
	S25	NENE
		NENW
		SNNW
		SENW
		Within Nez Perce County
		Within Latah County
	S26	NNSW
		NENE
		SENE
		NESE

Place of use is within the service area of the City of Kendrick
municipal water supply system as provided for under Idaho Law.

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.

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 December 05, 2008, with sufficient first-class postage to the following:

CITY OF KENDRICK
PO BOX 195
KENDRICK, ID 83537
Phone: 208-289-5157

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