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DEC 09 2009

DEPARTMENT OF
WATER RESOURCES

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

DEC 8 2009

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 TO**
) **CORRECT CLERICAL ERROR AND**
) **NOTICE OF HEARING THEREON**
)

) **For Water Right: 21-07000**
)

_____)
A *Partial Decree* was issued for the above-captioned right on August 27, 1999. On December 8, 2009, the Court received correspondence from the Idaho Department of Water Resources indicating that the domestic purpose of use should not include the 13,000 gallon per day limitation because the water right services a state park. The Court finds this to be the result of 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, March 16, 2010, 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: _____

December 8, 2009


JOHN M. MELANSON
Presiding Judge, *Pro Tem*
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)
Case No. 39576)
_____)

~~PARTIAL DECREE PURSUANT TO~~
AMENDED
I.R.C.P. 54(b) FOR
Water Right 21-07000

NAME AND ADDRESS: DEPT OF PARKS & REC
DEPT OF PARKS & REC
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS
7.00 AFY

PRIORITY DATE: 06/28/1967

POINT OF DIVERSION: T15N R43E S22 NWNW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	06-01 TO 09-30	0.07 CFS
			7.00 AFY

Domestic use for Henrys Lake State Park.

PLACE OF USE:	Domestic	Within Fremont County
	T15N R43E S15	NESW SESW
		SWSW

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 December 08, 2009, with sufficient first-class postage to the following:

DEPT OF PARKS & REC
DEPT OF PARKS & REC
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

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. The signature is fluid and stylized, with the first and last names being clearly legible.