

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 8 2010	
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	)	For Water Right: 73-02164
	)	
Case No. 39576	)	NOTICE OF COURT'S INTENT TO
	)	ISSUE AMENDED PARTIAL DECREE,
	)	AND NOTICE OF HEARING THEREON
	)	
	)	
	)	
	)	
_____	)	

A *Partial Decree* was issued for the above-captioned water right on October 20, 2009. On May 26, 2010, the Court received correspondence from the Idaho Department of Water Resources notifying the Court that the above-captioned water right is one of several containing overlapping rights which listed federal lands in the Place of Use element, and that the removal of the federal acres reduced the total combine Place of Use from 961.5 to 951.1 acres. In addition, the correspondence indicated an error in the *Partial Decree* with respect to the remark in the Period of Use element. A copy of the correspondence was also sent to the claimant. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the above-mentioned clerical errors in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **September 21, 2010, at 1:30 p.m.** at the Snake River Basin Adjudication Courthouse, 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 1-215-446-0193 and when prompted entering code 406128 followed by the # sign.

Dated: June 8



ERIC J. WILDMAN
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-02164

NAME AND ADDRESS: BIG CREEK RANCH LLC
280 CRANBROOK DR
HAILEY, ID 83333

SOURCE: GROUND WATER

QUANTITY: 5.00 CFS
1281.00 AFY

Right Nos. 73-2164 and 73-7000 are limited to a total combined
diversion rate of 7.6 cfs.

PRIORITY DATE: 10/06/1966

POINT OF DIVERSION: T14N R21E S24 SENWNE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 10-01	5.00 CFS 1281.00 AFY

The use of water for irrigation under this right may continue to
as late as October 31 provided other elements of the right are
not exceeded. The use of water after October 1 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 Custer County
	T14N R21E S13	SWSE 40.0
	S24	NENE 18.0 SWNE 39.0 NENW 38.0
	R22E S18	SESW 38.0
	S19 LOT 1	(NWNW)39.0
	366.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 951.1 acres in a single irrigation season.
Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140,
73-2164, 73-7000

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

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

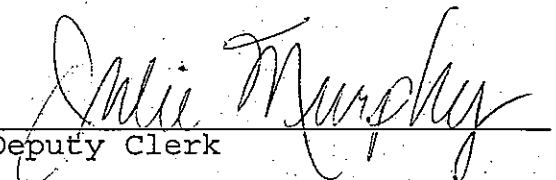
I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE AND NOTICE OF HEARING THEREON was mailed on June 08, 2010, with sufficient first-class postage to the following:

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

BRETT MAC NEIL
SCYTHE & SPADE CO
453 S FITNESS PL
EAGLE, ID 83616
Phone: 208-893-5333

BIG CREEK RANCH LLC
280 CRANBROOK DR
HAILEY, ID 83333

OLD CORRALS & SAGEBRUSH LLLP
453 S FITNESS PL
EAGLE, ID 83616
Phone: 208-893-5333

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