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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
NOV 18 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: 37-00159B**
	)	
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 September 24, 2010. On November 10, 2010, the Court received correspondence from the Idaho Department of Water Resources notifying the Court that the ***Partial Decree*** for the above-captioned water right contains an error with respect to the quantity element. In particular, the comment contained in the quantity element should read "This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than *3.5 afa per acre* for irrigation of the lands herein," rather than "3.0 afa per acre." Therefore, it is the intent of the Court to issue an ***Amended Partial Decree*** correcting the above-mentioned clerical error in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **February 15, 2011, 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: November 18, 2010

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 37-00159B

NAME AND ADDRESS: HEATHERLANDS HOMEOWNERS
ASSN INC
PO BOX 3901
KETCHUM, ID 83340-3901

SOURCE: GROUND WATER

QUANTITY: 0.60 CFS
105.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands herein.

PRIORITY DATE: 07/30/1888

POINT OF DIVERSION: T03N R18E S17 SESW Within Blaine County
S20 NWNE

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-15	0.60 CFS
		105.00 AFY

PLACE OF USE: Irrigation — Within Blaine County

T03N R18E S17	SWNW	7.7		NESW	3.6
	NWSW	1.9		SESW	6.7
S20	NWNE	0.4		NENW	9.7

30.0 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.

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 November 18, 2010, with sufficient first-class postage to the following:

HEATHERLANDS HOMEOWNERS
ASSN INC
PO BOX 3901
KETCHUM, ID 83340-3901
Phone: 208-622-5249

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

Deputy Clerk