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JAN 17 2012

DEPARTMENT OF
WATER RESOURCES

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

JAN 13 2012

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

Subcase: 74-381B

NOTICE OF COURT'S INTENT TO ISSUE
AN AMENDED PARTIAL DECREE

On July 9, 2007, this Court issued a *Partial Decree* for Water Right 74-381B. On January 6, 2012, the Idaho Department of Water Resources notified the court of an error in the description of the Source element. The Source was listed as "Spring," but the Tributary description was omitted. The Tributary description should be Adams Creek.

Therefore, it is the intent of the Court to issue an *Amended Partial Decree* for this water right consistent with the attached draft *Amended Partial Decree*. If any party shall have an objection to the intended change, they may submit any objections to the Court and a hearing will then be held on the matter. The deadline for receipt of such objections is February 28, 2012. However, if there are no objections, an *Amended Partial Decree* will be issued.

DATED January 13, 2012

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00381B

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: SPRINGS TRIBUTARY: ADAMS CREEK

QUANTITY: 0.15 CFS

PRIORITY DATE: 11/06/1908

POINT OF DIVERSION: T15N R25E S15 NWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.15 CFS

PLACE OF USE: Irrigation Within Lemhi County
T15N R25E S10 NESE 15.0
S11 SWNW 17.0 SENW 18.0
NWSW 40.0
90.0 Acres Total

This right authorizes the irrigation of 89.5 total acres.

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 AN AMENDED PARTIAL DECREE was mailed on January 13, 2012, with sufficient first-class postage to the following:

F JAMES WHITTAKER

PAULA J WHITTAKER

Represented by:

SCOTT L CAMPBELL

101 S CAPITOL BLVD 10TH FLOOR

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BOISE, ID 83701-0829

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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 name "Julie" and last name "Murphy" clearly distinguishable.