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JAN 24 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 23 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	) Subcase: 74-00381B
	)
Case No. 39576	) AMENDED NOTICE OF COURT'S
	) INTENT TO ISSUE AN AMENDED
	) PARTIAL DECREE
	)
	)
	)
	)

A *Partial Decree* was entered for the above-captioned water right on July 9, 2007. On January 6, 2012, the Idaho Department of Water Resources notified the Court of an error in the *Partial Decree* with respect to 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. On January 13, 2012, the Court issued a *Notice of Court's Intent to Issue an Amended Partial Decree* in the above-captioned subcase, indicating its intent to issue an *Amended Partial Decree* for this water right to correct the error in the Source element. A copy of the *Notice* was served on counsel of record, Scott L. Campbell at the firm of Moffatt Thomas Barrett Rock & Fields, Chtd.

On January 19, 2012, the Court received correspondence from counsel that that his firm no longer represents the claimants in this matter. The correspondence asserted that on February 15, 2008, the firm filed a global motion in the SRBA to withdraw as counsel of record for the claimants in all SRBA subcases in which the firm had appeared on behalf of the claimants. The motion was granted. However, the above-captioned subcase was omitted from the Exhibit A (i.e., list of affected subcases) that accompanied that motion because the *Partial Decree* had already been issued by that time. On January 23, 2012, the Court entered an *Order* recognizing counsel's notice to withdraw as attorney of record in the above-captioned subcase.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. 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.

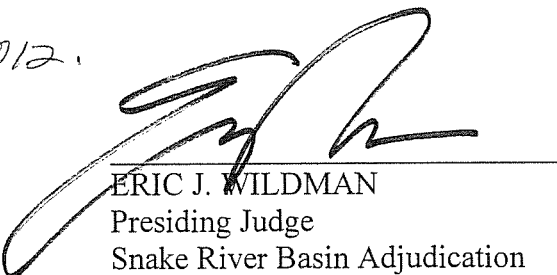
2. The Clerk of the Court shall serve a copy of this *Amended Notice of Court's Intent* on the claimants in this matter, as well as counsel Robert L. Harris who has appeared on behalf of the claimants in other SRBA subcases, at the following addresses:

F. James Whittaker
Paula J. Whittaker
P.O. Box 240
Leadore, ID 83464

Robert L. Harris
Holden Kidwell Hahn & Crapo, PLLC
P.O. Box 50130
Idaho Falls, ID 83405

Dated

January 23, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED NOTICE OF COURT'S INTENT TO ISSUE AN AMENDED PARTIAL DECREE was mailed on January 23, 2012, with sufficient first-class postage to the following:

F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464
Phone: 208-768-2491

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