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DEPARTMENT OF
WATER RESOURCES

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

SEP - 4 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

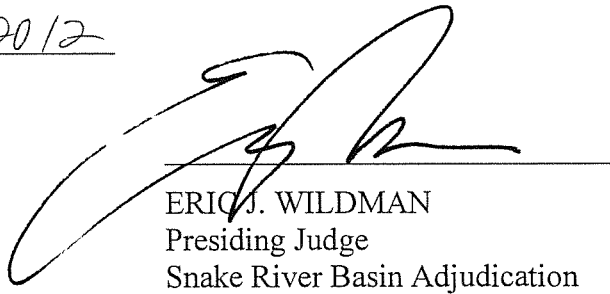
) Water Right No.: 37-22499
)
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE,
) AND NOTICE OF HEARING THEREON
)
)
)
)
)
)
)

A *Partial Decree* was issued for the above-captioned water right on March 29, 2012. On September 4, 2012, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error* pursuant to Idaho Rule of Civil Procedure 60(a), requesting that this Court correct an error in the place of use element of the *Partial Decree*. The *Standard Form 5* filed on January 24, 2012, contained a remark limiting the following four rights to the irrigation of a combined total of 14 acres in a single irrigation season: "Combined Right Nos. 37-21240, 37-21242, 37-20843 and 37-22499." However, in the subsequent *Special Master's Report and Recommendation* and *Partial Decree* the combined use remark erroneously identified the following rights: "Combined Right Nos. 37-21240, 37-21242, 37-20043 and 37-22499." Therefore, it is the intent of the Court to issue an *Amended Partial Decrees* correcting the above-mentioned clerical error in accordance with the corrected recommendation attached to the Department's *Request*. A copy of the proposed *Amended Partial Decrees* is attached as Exhibit A.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **December 18, 2012, 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. **However, no cell phones or speaker phones will be permitted as they interfere with our sound system making the proceeding difficult to accurately record.**

Dated: Sept 4, 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 37-22499

NAME AND ADDRESS: SILVER SAGE ASSN INC
PO BOX 1702
KETCHUM, ID 83340

SOURCE: GROUND WATER

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of any appurtenant ground water to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.26 CFS
45.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for irrigation of the described lands.

PRIORITY DATE: 01/05/1950

POINT OF DIVERSION: T03N R18E S32 NWSENE Within Blaine County

PURPOSE AND

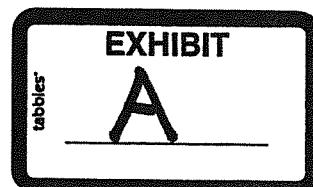
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.26 CFS
			45.50 AFY

PLACE OF USE: Irrigation Within Blaine County
T03N R18E S33 NWSW 1.0 SWSW 9.0
SESW 4.0
14.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 14 acres in a single irrigation season. Combined Right Nos.: 37-21240, 37-21242, 37-20843 and 37-22499. This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

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 September 04, 2012, with sufficient first-class postage to the following:

SILVER SAGE ASSN INC

Represented by:

JAMES P SPECK

120 EAST AVENUE

PO BOX 987

KETCHUM, ID 83340-0987

Phone: 208-726-4421

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".