

RECEIVED
DEC 14 2012
DEPT. OF WATER RESOURCES

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

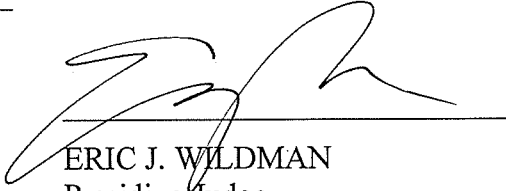
) Water Right Nos.: 75-19D, 75-19H, 75-
) 4443, 75-11614 and 75-14267
)
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREES,
) AND NOTICE OF HEARING THEREON
)
)
)
)
)
)
)

Partial Decrees were issued for water right claims 75-19D and 75-19H on February 2, 2010. A *Partial Decree* was issued for water right claim 75-4443 on September 15, 2000. An *Amended Partial Decree* was issued for water right claim 75-11614 on January 8, 2010. A *Partial Decree* was issued for water right claim 75-14267 on January 8, 2010. On December 12, 2012, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error* in each of the above-captioned subcases requesting that this Court correct an error in the point of diversion element of the *Partial Decrees*. The *Requests* assert that the *Partial Decrees* erroneously identify the legal description of the point of diversion, which should have been identified as T21N R21E S01 SWNW. Therefore, it is the intent of the Court to issue *Amended Partial Decrees* correcting the above-mentioned clerical error in accordance with the corrected recommendations attached to the Department's *Requests*. Copies of the proposed *Amended Partial Decrees* are attached as Exhibits A - E.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **March 19, 2013, 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: Dec 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-00019D

NAME AND ADDRESS: LOIS BLACKADAR
PO BOX 321
SALMON, ID 83467

SOURCE: JESSE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.50 CFS

PRIORITY DATE: 06/01/1868

POINT OF DIVERSION: T21N R21E S01 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.50 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S31 LOT 4 (SWSW)22.0
22.0 Acres Total

Right Nos. 75-19D and 75-113A are limited to the irrigation of a
combined total of 22 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

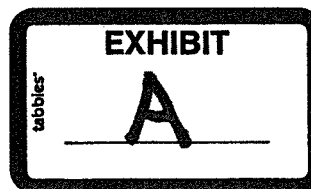
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

DRAFT

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



AMENDED

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-00019H

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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)
)
Case No. 39576)
)
Water Right 75-04443

NAME AND ADDRESS: KIMBERLEE ANN WALLINGFORD
MICHAEL J WALLINGFORD
1409 CLEVELAND AVE
SALMON, ID 83467

SOURCE: JESSIE CREEK, NORTH FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1906

POINT OF DIVERSION: T21N R21E S01 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic LAWN & GARDEN	01-01 TO 12-31	0.01 CFS

PLACE OF USE: Domestic Within Lemhi County
T21N R21E S01 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

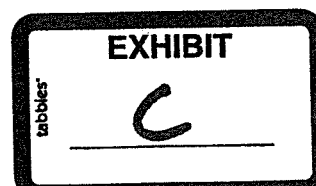
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT 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



2ND AMENDED

A small white label with a black border. It has the word "EXHIBIT" in bold black capital letters at the top. Below it is a large, bold, black letter "D". At the bottom, there is a horizontal line.

AMENDED

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISUUE AMENDED PARTIAL DECREES AND NOTICE OF HEARING THEREON was mailed on December 13, 2012, with sufficient first-class postage to the following:

LOIS BLACKADAR
PO BOX 321
SALMON, ID 83467
Phone: 208-756-2094

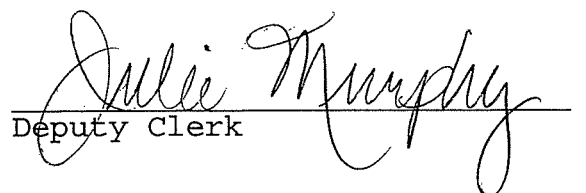
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ROBERT L BLACKADAR
10 N CHEROKEE RD
SALMON, ID 83467
Phone: 208-756-4967

KIMBERLEE ANN WALLINGFORD
MICHAEL J WALLINGFORD
1409 CLEVELAND AVE
SALMON, ID 83467
Phone: 208-756-4468

ELMA I PETRICK
1903 ROOSEVELT
SALMON, ID 83467
Phone: 208-756-1933

ELISABETH MORGAN
STANNLEY MORGAN
803 14TH ST
SALMON, ID 83467
Phone: 208-756-3786

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".