

RECEIVED

JAN 29 2013

DEPT. OF WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 28 2013	
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

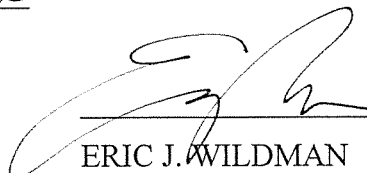
) Water Right No.: 36-2603D
)
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE,
) AND NOTICE OF HEARING THEREON
)
)
)
)
)
)
)

A *Partial Decree* was issued for the above-captioned water right on January 15, 1998. The Clerk of the Court subsequently received correspondence from the Idaho Department of Water Resources ("Department"), requesting that this Court correct errors in the place of use and point of diversion elements of the *Partial Decree*. With respect to the place of use, the correspondence asserts that the *Partial Decree* provides T09S R17E S19 Lot 9 (NENW), when it should provide T09S R17E S29 Lot 9 (NENW). With respect to the point of diversion, the correspondence asserts that the *Partial Decree* provides the quarter-quarter as NENENW, when it should provide SENENW. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the above-mentioned clerical errors in accordance with the correspondence. A copy of the proposed *Amended Partial Decree* is attached as Exhibit A.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **April 16, 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: January 28, 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 36-02603D

NAME AND ADDRESS: PRISTINE SPRINGS INC
201 WARM CREEK ROAD
JEROME, ID 83338

SOURCE: SUNNY BROOK SPRINGS TRIBUTARY: WARM CREEK

QUANTITY: 1.90 CFS

FACILITY VOLUME 7,880 CU.FT.
USE OF THIS RIGHT WITH RIGHT NO. 36-00200 IS LIMITED TO A
TOTAL COMBINED FACILITY VOLUME OF 156,770 CU.FT.

PRIORITY DATE: 04/17/1964

POINT OF DIVERSION: T09S R17E S29 LOT 9 (SENEENW) Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	1.90 CFS

PLACE OF USE: Fish Propagation Within Jerome County
T09S R17E S29 LOT 9 (NENW)

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

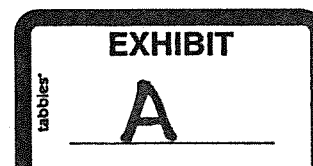
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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



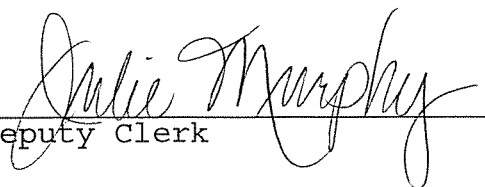
CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE AND NOTICE OF HEARING THEREON was mailed on January 28, 2013, with sufficient first-class postage to the following:

PRISTINE SPRINGS INC
PO BOX 5259
TWIN FALLS, ID 83303-5259
Phone: 208-735-0466

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

PRISTINE SPRINGS INC
201 WARM CREEK ROAD
JEROME, ID 83338
Phone: 208-736-1684

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".