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FEB 05 2013
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 4 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.: 37-07949**
)
) **NOTICE OF COURT'S INTENT TO**
) **ISSUE AMENDED PARTIAL DECREE,**
) **AND NOTICE OF HEARING THEREON**
)
)
)
)
)
)
)

The above-captioned water right was claimed based on a permit prior to the issuance of the license. On December 11, 2002, a *Partial Decree* was entered for the above-captioned water right. The Director of the Idaho Department of Water Resources ("Department") subsequently issued a license for the water right. On January 22, 2013, the Department filed a *Notice of Completed Administrative Proceeding* in the above-captioned subcase informing the Court of the issuance of the license, as well as an *Amended Director's Report* reflecting the elements of the above-captioned water right claim as licensed. The license supercedes the *Partial Decree*. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* in the above-captioned matter consistent with the *Amended Director's Report* pursuant to Idaho Rule of Civil Procedure 60(a). 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 **Tuesday, May 21, 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: February 4, 2013



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 37-07949

NAME AND ADDRESS: MICHAEL S TELFORD
1450 W HWY 24
PAUL, ID 83347

SOURCE: GROUND WATER

QUANTITY: 0.25 CFS
22.60 AFY

Rights 37-7650 and 37-7949 when combined shall not exceed a total
diversion rate of 0.26 cfs, and a total annual maximum diversion
volume of 30.5 af at the field headgate.

PRIORITY DATE: 11/04/1981

POINT OF DIVERSION: T04S R19E S02 SENESE Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.13 CFS
			22.60 AFY
	Commercial	01-01 TO 12-31	0.12 CFS
			22.60 AFY

Commercial use is for a dairy.

PLACE OF USE:	Stockwater		Within Lincoln County
	T04S R19E S02	NESE	SESE
	Commercial		Within Lincoln County
	T04S R19E S02	NESE	SESE

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

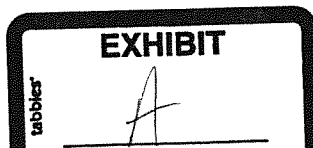
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

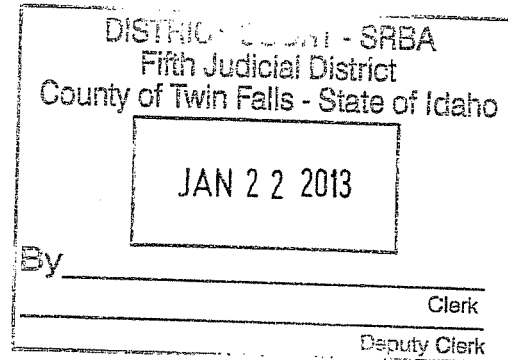
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 18, 2013

PAUL HARRINGTON
SRBA COURT
PO BOX 2707
TWIN FALLS ID 83303-2707



Paul,

Enclosed is Notice of Completed Administrative Proceedings (NCAPs) for rights that were previously decreed as permits and have since been licensed. The recommendations have now been modified to reflect the licenses. These NCAP's are being submitted to update the Decrees to reflect these licenses, and issue modified Decrees.

Any questions, please feel free to contact me at 208-287-4909.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section

LH:I

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 February 04, 2013, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

DAVID J. BARBER

DEPUTY ATTORNEY GENERAL

PO BOX 44449

BOISE, ID 83711-4449

Phone: 208-334-2400

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

MICHAEL S TELFORD

1450 W HWY 24

PAUL, ID 83347

Phone: 208-532-4555

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".