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FEB 14 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 13 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

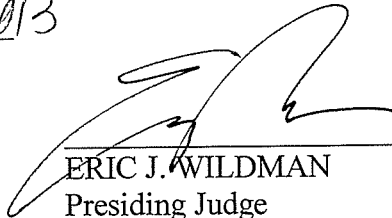
) Water Right Nos.: 51-07018,
) 51-07030 and 51-07038
)
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREES,
) AND NOTICE OF HEARING THEREON
)
)
)
)
)
)
)

The above-captioned water rights were claimed based on a permit prior to the issuance of a license. On December 1, 2000, *Partial Decrees* were entered for the above-captioned water rights. The Director of the Idaho Department of Water Resources ("Department") subsequently issued a license for each water right. On January 30, 2013, the Department filed a *Notice of Completed Administrative Proceeding* in the above-captioned subcases informing the Court of the issuance of the license, as well as *Amended Director's Reports* reflecting the elements of the above-captioned water right claims as licensed. The licenses supercede the *Partial Decrees*. Therefore, it is the intent of the Court to issue *Amended Partial Decrees* in the above-captioned matters consistent with the *Amended Director's Reports* pursuant to Idaho Rule of Civil Procedure 60(a). Copies of the proposed *Amended Partial Decrees* are attached as Exhibits A and B.

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 13, 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 51-07018

NAME AND ADDRESS: BIG SKY DAIRY
PO BOX 407
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
840.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. Rights 51-2185, 51-2186, 51-2189, 51-7018, 51-7030 and 51-7038 when combined shall not exceed a total diversion rate of 21.33 cfs.

PRIORITY DATE: 04/05/1968

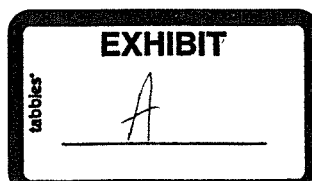
POINT OF DIVERSION: T09S R12E S20 SENW Within Owyhee County
S29 NENE
SWNE
SWNE
SWNE
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.00 CFS 840.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
	T09S R12E S18	SWSE 10.0 SESE 30.0
	S19	NENE 33.0
	S29	NENE 39.0 SENE 23.0
		SENW 29.0 NESE 36.0
		NWSE 10.0
	210.0 Acres Total	

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

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 51-07030

NAME AND ADDRESS: BIG SKY DAIRY
PO BOX 407
JEROME, ID. 83338

SOURCE: GROUNDWATER

QUANTITY: 4.80 CFS
1136.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. Rights 51-2185, 51-2186, 51-2189, 51-7018, 51-7030 and 51-7038 when combined shall not exceed a total diversion rate of 21.33 cfs.

PRIORITY DATE: 09/30/1968

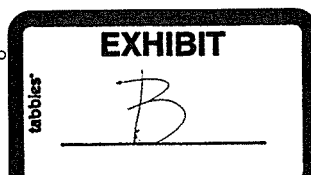
POINT OF DIVERSION: T09S R12E S20 SENW Within Owyhee County
S29 NENE
SWNE
SWNE
SWNE
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.80 CFS 1136.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
	T09S R11E S24	NENE 40.0 NWNE 19.0
	R12E S18	NESW 40.0 LOT 3 (NWSW)35.0
	LOT 4	(SWSW)35.0 SESW 40.0
	S19	NENW 40.0 LOT 1 (NWNW)35.0
	284.0 Acres Total	

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

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DRAFT

Eric J. Wildman
Presiding Judge of the
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 51-07038

NAME AND ADDRESS: BIG SKY DAIRY
PO BOX 407
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.28 CFS
1276.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. Rights 51-2185, 51-2186, 51-2189, 51-7018, 51-7030 and 51-7038 when combined shall not exceed a total diversion rate of 21.33 cfs.

PRIORITY DATE: 06/20/1969

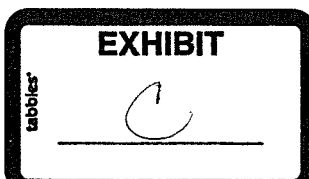
POINT OF DIVERSION: T09S R12E S20 SENW Within Owyhee County
S29 NENE
SWNE
SWNE
SWNE
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	31-51 TO 11-15	4.28 CFS 1276.00 AFY

PLACE OF USE:	Irrigation		Within Owyhee County
	T09S R12E S17	SWSE 40.0	
	S20	NENE 39.0	SENE 40.0
		NESE 40.0	
	S21	SENE 40.0	NESW 40.0
		NWSW 40.0	SWSW 40.0
	319.0 Acres Total		

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).



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DRAFT

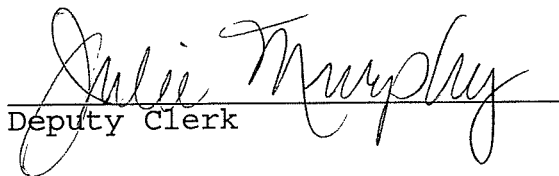
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREES AND NOTICE OF HEARING THEREON was mailed on February 13, 2013, with sufficient first-class postage to the following:

BIG SKY DAIRY
PO BOX 407
JEROME, ID 83338

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.