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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

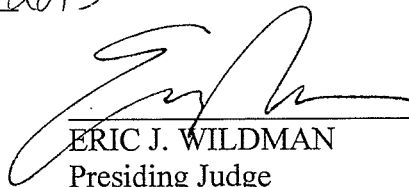
) **Water Right No.: 57-07265**
)
) **NOTICE OF COURT'S INTENT TO**
) **ISSUE AMENDED PARTIAL DECREE,**
) **AND NOTICE OF HEARING THEREON**
)
)
)
)
)
)

The above-captioned water right was claimed based on a permit prior to the issuance of the license. On February 9, 1998, 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 30, 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 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 57-07265

NAME AND ADDRESS: RICHARD D ECHEVARRIA
PO BOX 897
HOMEDALE, ID 83628-0897

SOURCE: UNNAMED DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 2.77 CFS
534.50 AFY

Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at the following location: Weiser, 4750 cfs. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation. Rights 02-2401, 57-2306, and 57-7265 when combined shall not exceed a total diversion rate of 3.76 cfs, a total annual maximum diversion volume of 846 af at the field headgate.

PRIORITY DATE: 07/31/1980

POINT OF DIVERSION: T04N R05W S29 LOT 5 (SWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	2.63 CFS 526.50 AFY
	Stockwater	01-01 TO 12-31	0.14 CFS 8.00 AFY

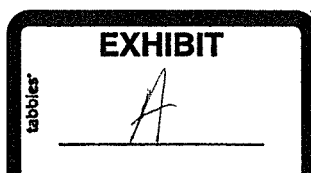
PLACE OF USE:	Irrigation	Within Owyhee County
	T04N R05W S29 LOT 6 (NESW)10.0	LOT 6 (NWSW) 6.0
	LOT 5 (SWSW)30.0	LOT 5 (SESW)10.0
	S32 LOT 7 (NENW)33.0	NWNW 37.0
	SWNW 32.0	LOT 6 (SENW)30.0
	188.0 Acres Total	

Stockwater	Within Owyhee County
T04N R05W S29 LOT 6 (NESW)	LOT 6 (NWSW)
LOT 5 (SWSW)	LOT 5 (SESW)
S32 LOT 7 (NENW)	NWNW
SWNW	LOT 6 (SENW)

This right is limited to the irrigation of 163.5 acres within the place of use described above in a single irrigation season. Rights 02-2041, 57-2306, and 57-7265 when combined shall not exceed the irrigation of 188 acres.

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 February 13, 2013, with sufficient first-class postage to the following:

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

RICHARD D ECHEVARRIA
PO BOX 897
HOMEDALE, ID 83628-0897


Deputy Clerk