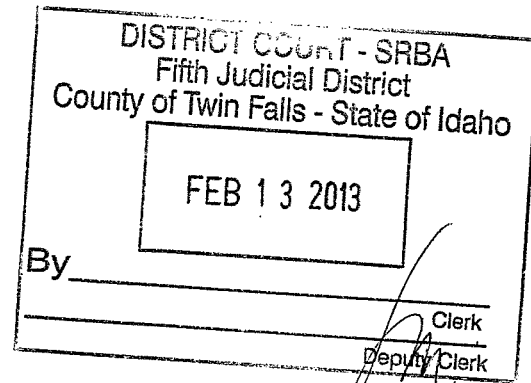


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FEB 14 2013

DEPARTMENT OF
WATER RESOURCES



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

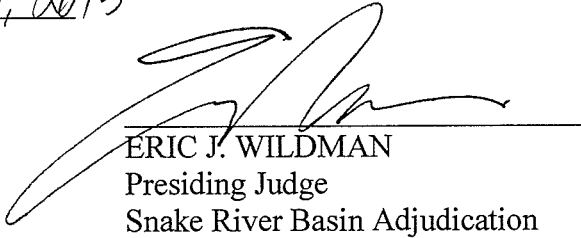
) Water Right No.: 63-08067
)
) NOTICE OF COURT'S INTENT TO
) ISSUE AMENDED PARTIAL DECREE,
) AND NOTICE OF HEARING THEREON
)
)
)
)
)
)
)

The above-captioned water right was claimed based on a permit prior to the issuance of the license. On April 23, 2003, 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 February 4, 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 63-08067

NAME AND ADDRESS: BIG SKY PARTNERSHIP
C/O D MC FARLAND & T BULLERS
PO BOX 5178
TWIN FALLS, ID 83303

SOURCE: GROUND WATER

QUANTITY: 5.49 CFS
1280.00 AFY

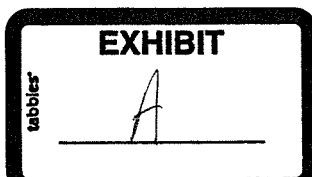
Rights 63-8067, 63-9672, 63-11513 and 63-11514 when combined shall not exceed a total diversion rate of 15.71 cfs. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. Rights 63-9672 and 63-8067 when combined shall not exceed a total diversion rate of 5.49 cfs, or a total annual maximum diversion volume of 1660.0 af at the field headgate.

PRIORITY DATE: 01/06/1975

POINT OF DIVERSION: T01N R09E S32 SESESE Within Elmore County
S33 NWSSENW
SWSSENW
SWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	5.49 CFS 1280.00 AFY

PLACE OF USE:	Irrigation		Within Elmore County
	T01N R09E S27	NESW 9.2	NWSW 7.8
		SWSW 33.0	SESW 39.0
		NESE 6.8	NWSE 0.8
		SWSE 32.0	SESE 27.0
	S28	SWSW 1.7	SESW 3.0
		NESE 2.6	SWSE 8.3
		SESE 28.0	
	S32	NENE 31.0	NWNE 24.0
		SWNE 31.0	SENE 34.0
		SENW 18.0	NESW 35.0
		SWSW 16.0	SESW 38.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S33	NENE 15.0	NWNE 39.0
		SWNE 40.0	SENE 39.0
		NENW 37.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 39.0	NWSW 40.0
		SWSW 28.0	SESW 23.0
		NESE 39.0	NWSE 40.0
		SWSE 38.0	SESE 38.0
	S34	NENE 38.0	NWNE 29.0
		SWNE 28.0	SENE 30.0
		NENW 37.0	NWNW 29.0
		SWNW 34.0	SENW 35.0
		NESW 35.0	NWSW 36.0



SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSW 40.0		SESW 38.0
	NESE 23.0		NWSE 32.0
	SWSE 35.0		SESE 36.0
T01S R09E S03 LOT 1	(NENE)24.0	LOT 2	(NWNE)24.0
	SWNE 39.0		SENE 38.0
LOT 3	(NENW)22.0	LOT 4	(NWNW)25.0
	SWNW 37.0		SENW 35.0
	NESW 32.0		NWSW 25.0
	SWSW 7.0		SESW 5.4
	NESE 30.0		NWSE 28.0
S04 LOT 1	(NENE)25.0	LOT 2	(NWNE)25.0
	SWNE 31.0		SENE 30.0
LOT 3	(NENW)12.0	LOT 4	(NWNW)18.0
	SWNW 29.0		SENW 15.0
	NESW 26.0		NWSW 40.0
	SWSW 27.0		SESW 9.5
	NESE 0.1		
S05 LOT 1	(NENE)25.0	LOT 2	(NWNE)25.0
	SWNE 39.0		SENE 39.0
LOT 3	(NENW)25.0	LOT 4	(NWNW)11.0
	SWNW 1.0		SENW 33.0
	NESW 18.0		SESW 12.0
	NESE 39.0		NWSE 39.0
	SWSE 39.0		SESE 39.0
S08	NENE 37.0		NWNE 27.0
	NENW 0.4		
S09	NWNW 13.0		
2816.6 Acres Total			

This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season. Rights 63-8067, 63-9672, 63-10212, 63-11513, and 63-11514 when combined shall not exceed the irrigation of 2816.6 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

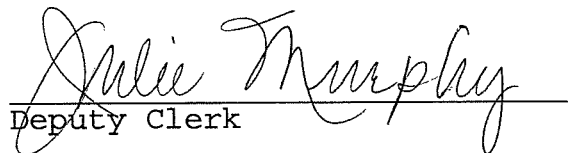
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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:

BIG SKY PARTNERSHIP
C/O D MC FARLAND & T BULLERS
PO BOX 5178
TWIN FALLS, ID 83303

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

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