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MAR 05 2013

DEPARTMENT OF
WATER RESOURCES

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

MAR - 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

) Water Right No.: 02-02176B

)

Case No. 39576

) NOTICE OF COURT'S INTENT TO

) ISSUE AMENDED PARTIAL DECREE,

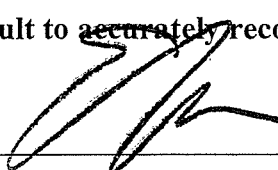
) AND NOTICE OF HEARING THEREON

)

A *Partial Decree* was issued for the above-captioned water right on June 15, 2009. On February 27, 2013, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error*, requesting that this Court correct an error in the *Partial Decree*. The *Request* asserts that the combined diversion rate limit set forth in the remark included in the quantity element should be removed on the grounds that it is not needed and was erroneously included in the *Partial Decree*. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the above-mentioned clerical error in accordance with the corrected recommendation attached to the Department's *Request*. 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 **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: March 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 02-02176B

NAME AND ADDRESS: CATHERINE W UNRUH
DAVID C UNRUH
32397 MUD FLAT RD
GRAND VIEW, ID 83624-5048

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.04 CFS
762.00 AFY

The rights listed below are limited to a total combined
diversion rate of 14.55 cfs. Combined Right Nos.: 02-02083,
02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272,
02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.
Right Nos. 02-02176B and 02-02405B are limited to a total
combined annual diversion volume of 787.5 AF.

PRIORITY DATE: 05/01/1962

POINT OF DIVERSION: T05S R04E S34 LOT 10 (NWSW) Within Owyhee County

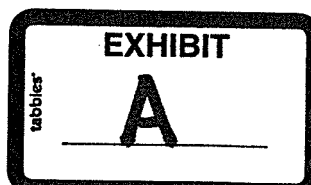
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	2.04 CFS 762.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
	T05S R03E S36	SWNE 6.0 SENW 30.0 NESW 23.0 NESE 18.0 NWSE 19.0 SWSE 6.0 SESE 15.0
	R04E S31	NESW 2.0 LOT 3 (NWSW) 11.0
	LOT 4	(SWSW) 37.0 SESW 8.0
	175.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 558.5 acres in a single irrigation season.
Combined Right Nos.: 2-2176B, 2-2405B, 2-10198
Right Nos. 02-02176B and 02-02405B are limited to the irrigation
of a combined total of 175 acres in a single irrigation season.

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

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

CATHERINE W UNRUH
DAVID C UNRUH
32397 MUD FLAT RD
GRAND VIEW, ID 83624-5048
Phone: 208-834-2879

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".