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MAR 18 2013

DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |                    |
|-------------------------------------------------------------------------------------------|--------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                    |
| MAR 15 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.: 31-07113  
)  
) NOTICE OF COURT'S INTENT TO  
) ISSUE AMENDED PARTIAL DECREE,  
) AND NOTICE OF HEARING THEREON  
)  
)  
)  
)  
)  
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)

The above-captioned water right was claimed based on a permit prior to the issuance of the license. On February 22, 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 March 8, 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, June 18, 2013, at 1:30 p.m.** at the Snake River Basin Adjudication Courthouse, 253 3<sup>rd</sup> 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 15, 2013



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ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

**AMENDED**

Water Right 31-07113

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

PLACE OF USE (continued)

|               | LOT 1       | LOT 2       |
|---------------|-------------|-------------|
| S04           | (NENE) 37.0 | (NWNE) 37.0 |
|               | SWNE 40.0   | SENE 39.0   |
| LOT 3         | (NENW) 39.0 | SENE 40.0   |
|               | NESW 40.0   | SESE 34.0   |
|               | NESE 39.0   | NWSE 40.0   |
|               | SWSE 39.0   | SESE 36.0   |
| S09           | NENE 37.0   | NWNE 39.0   |
|               | SWNE 40.0   | SENE 38.0   |
|               | NENW 38.0   | SENE 33.0   |
|               | NESW 38.0   | SESE 38.0   |
|               | NESE 37.0   | NWSE 36.0   |
|               | SWSE 35.0   | SESE 39.0   |
| S10           | NENE 35.0   | NWNE 39.0   |
|               | SWNE 39.0   | SENE 38.0   |
|               | NENW 39.0   | NWNW 37.0   |
|               | SWNW 37.0   | SENE 39.0   |
| S11           | NENE 38.0   | NWNE 34.0   |
|               | SWNE 40.0   | SENE 34.0   |
|               | NENW 39.0   | NWNW 39.0   |
|               | SWNW 39.0   | SENE 40.0   |
|               | NESW 40.0   | NWSW 40.0   |
|               | NESE 21.0   | NWSE 40.0   |
| T07N R33E S14 | NESW 40.0   | NWSW 39.0   |
|               | SWSW 39.0   | SESE 39.0   |
| S15           | NENE 39.0   | NWNE 40.0   |
|               | SWNE 40.0   | SENE 39.0   |
|               | NESW 40.0   | NWSW 39.0   |
|               | SWSW 38.0   | SESE 39.0   |
|               | NESE 39.0   | NWSE 40.0   |
|               | SWSE 39.0   | SESE 38.0   |
| S22           | NENE 39.0   | NWNE 39.0   |
|               | SWNE 40.0   | SENE 38.0   |
|               | NENW 39.0   | NWNW 38.0   |
|               | SWNW 38.0   | SENE 40.0   |
|               | NESW 40.0   | NWSW 38.0   |
|               | SWSW 37.0   | SESE 39.0   |
|               | NESE 37.0   | NWSE 40.0   |
|               | SWSE 39.0   | SESE 36.0   |
| S23           | NENE 39.0   | NWNE 39.0   |
|               | SWNE 40.0   | SENE 39.0   |
|               | NENW 40.0   | NWNW 39.0   |
|               | SWNW 38.0   | SENE 39.0   |
|               | NESW 37.0   | NWSW 37.0   |
|               | SWSW 34.0   | SESE 40.0   |
|               | NESE 37.0   | NWSE 37.0   |
|               | SWSE 40.0   | SESE 40.0   |
| S24           | NENW 38.0   | NWNW 39.0   |
|               | SWNW 40.0   | SENE 39.0   |
|               | NWSW 38.0   | SWSW 39.0   |
| S25           | NENE 39.0   | NWNE 40.0   |
|               | SWNE 40.0   | SENE 40.0   |
|               | NENW 40.0   | NWNW 36.0   |
|               | SWNW 39.0   | SENE 40.0   |
|               | NESW 35.0   | NWSW 34.0   |
|               | SWSW 37.0   | SESE 39.0   |
|               | NESE 34.0   | NWSE 34.0   |
|               | SWSE 39.0   | SESE 39.0   |
| S26           | NENE 39.0   | NWNE 40.0   |
|               | SWNE 40.0   | SENE 39.0   |
|               | NENW 40.0   | NWNW 37.0   |
|               | SWNW 39.0   | SENE 40.0   |
|               | NESW 40.0   | NWSW 39.0   |
|               | SWSW 26.0   | SESE 35.0   |
|               | NESE 37.0   | NWSE 38.0   |

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

PLACE OF USE (continued)

|          |       |             |       |             |
|----------|-------|-------------|-------|-------------|
|          |       | SWSE 36.0   |       | SESE 32.0   |
| S27      |       | NENE 35.0   |       | NWNE 39.0   |
|          |       | SWNE 40.0   |       | SENE 39.0   |
|          |       | NENW 39.0   |       | NWNW 34.0   |
|          |       | SWNW 35.0   |       | SENW 40.0   |
|          |       | NESW 40.0   |       | NWSW 36.0   |
|          |       | SWSW 32.0   |       | SESW 36.0   |
|          |       | NESE 39.0   |       | NWSE 40.0   |
|          |       | SWSE 36.0   |       | SESE 33.0   |
| S33      |       | NENE 38.0   |       | NWNE 34.0   |
|          |       | SWNE 29.0   |       | SENE 36.0   |
|          |       | NESW 37.0   |       | SESW 38.0   |
|          |       | NESE 36.0   |       | NWSE 38.0   |
|          |       | SWSE 37.0   |       | SESE 36.0   |
| S34      |       | NENE 36.0   |       | NWNE 39.0   |
|          |       | SWNE 40.0   |       | SENE 38.0   |
|          |       | NENW 39.0   |       | NWNW 37.0   |
|          |       | SWNW 39.0   |       | SENW 40.0   |
|          |       | NESW 40.0   |       | NWSW 35.0   |
|          |       | SWSW 38.0   |       | SESW 35.0   |
|          |       | NESE 38.0   |       | NWSE 40.0   |
|          |       | SWSE 39.0   |       | SESE 37.0   |
| S35      |       | NENE 27.0   |       | NWNE 39.0   |
|          |       | SWNE 40.0   |       | SENE 37.0   |
|          |       | NENW 40.0   |       | NWNW 29.0   |
|          |       | SWNW 38.0   |       | SENW 40.0   |
|          |       | NESW 40.0   |       | NWSW 38.0   |
|          |       | SWSW 37.0   |       | SESW 39.0   |
|          |       | NESE 32.0   |       | NWSE 40.0   |
|          |       | SWSE 38.0   |       | SESE 32.0   |
| S36      |       | NWNW 39.0   |       | SWNW 25.0   |
| R34E S19 |       | NENW 38.0   | LOT 1 | (NWNW) 37.0 |
|          | LOT 2 | (SWNW) 38.0 |       | SENW 39.0   |
| S20      |       | NESW 39.0   |       | NWSW 36.0   |
|          |       | SWSW 36.0   |       | SESW 40.0   |
|          |       | NESE 40.0   |       | SWSE 40.0   |
|          |       | SESE 40.0   |       |             |
| S21      |       | NWSW 40.0   |       | SWSW 40.0   |
| S28      |       | SWNW 40.0   |       | NWSW 32.0   |
| S29      |       | NWNE 40.0   |       | SWNE 34.0   |
|          |       | SENE 38.0   |       | NENW 40.0   |
|          |       | NWNW 36.0   |       | SWNW 36.0   |
|          |       | SENW 40.0   |       | NESW 40.0   |
|          |       | NWSW 34.0   |       | SWSW 32.0   |
|          |       | SESW 39.0   |       | NESE 40.0   |
|          |       | NWSE 40.0   |       | SWSE 40.0   |
|          |       | SESE 40.0   |       |             |
| S30      |       | NENE 39.0   |       | SENE 39.0   |
|          | LOT 1 | (NWNW) 39.0 | LOT 2 | (SWNW) 19.0 |
|          |       | NESW 40.0   | LOT 3 | (NWSW) 39.0 |
|          | LOT 4 | (SWSW) 38.0 |       | SESW 40.0   |
|          |       | NESE 40.0   |       | NWSE 40.0   |
|          |       | SWSE 39.0   |       | SESE 39.0   |
| S31      |       | NENE 40.0   |       | NWNE 40.0   |
|          |       | SWNE 40.0   |       | SENE 40.0   |
|          |       | NESE 40.0   |       | NWSE 40.0   |
|          |       | SWSE 39.0   |       | SESE 39.0   |
| S32      |       | NENE 40.0   |       | NWNE 40.0   |
|          |       | SWNE 40.0   |       | SENE 40.0   |
|          |       | NENW 39.0   |       | NWNW 33.0   |
|          |       | SWNW 39.0   |       | SENW 40.0   |
|          |       | NESW 40.0   |       | NWSW 40.0   |
|          |       | SWSW 38.0   |       | NESE 40.0   |
|          |       | NWSE 40.0   |       |             |

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

PLACE OF USE (continued)

10740.0 Acres Total

Rights 31-2420, 31-2451, 31-7113, 31-07327, 31-10322, 31-10323, 31-10324 and 31-10325 when combined shall not exceed the irrigation of 10,740 acres.  
This right is limited to the irrigation of 945 acres within the authorized place of use 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 15, 2013, with sufficient first-class postage to the following:

JEFFERSON IRRIGATION CO  
C/O PATRICK HENDREN  
724 E 1800 N  
MONTEVIEW, ID 83435  
Phone: 208-663-4608

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.