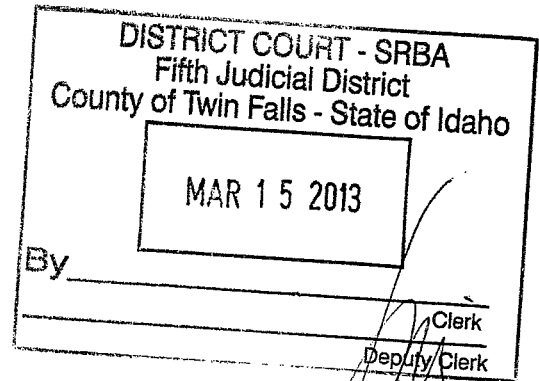


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MAR 18 2013

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.: 36-7881
)
) NOTICE OF COURT'S INTENT TO SET
) ASIDE PARTIAL DECREE AND ENTER
) FINAL ORDER DISALLOWING WATER
) RIGHT CLAIM, AND NOTICE OF
) HEARING THEREON
)
) NOTICE OF COURT'S INTENT TO ISSUE
) PARTIAL DECREES FOR WATER RIGHT
) NOS. 36-15984 and 36-15985
)

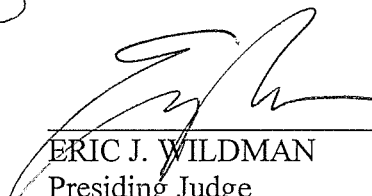
The above-captioned water right was claimed based on a permit prior to the issuance of the license. On December 19, 2001, a *Partial Decree* was entered for the above-captioned water right. The Director of the Idaho Department of Water Resources ("Department") subsequently issued a license for water right nos. 36-15984 and 36-15985, which are splits of the above-captioned water right. On March 11, 2013, the Department filed a *Notice of Completed Administrative Proceeding* ("NCAP") in the above-captioned subcase informing the Court of the split of water right no. 36-7881 and the issuance of the licenses for the children rights: 36-15984 and 36-15985. The Department also filed a *Director's Report* reflecting the elements of water right nos. 36-15984 and 36-15985 as licensed. The *Director's Report* also recommended that the *Partial Decree* for the above-captioned water right be set aside and the claim disallowed as a result of the administrative split. The licenses supercede the *Partial Decree*.

Therefore, it is the intent of the Court to set aside the *Partial Decree* and issue a *Final Order Disallowing Water Right Claim* in the above-captioned matter consistent with the *Director's Report* pursuant to Idaho Rule of Civil Procedure 60(a). It is further the intent of the Court to issue *Partial Decrees* for water right nos. 36-15984 and 36-15985 consistent with the

Director's Report pursuant to Idaho Rule of Civil Procedure 60(a). Copies of the proposed *Partial Decrees* are attached as Exhibits A and B.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **June 18, 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 15, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-15984

NAME AND ADDRESS: MICHAEL S TELFORD
1450 W HWY 24
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 2.91 CFS
612.00 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.
Rights 36-02417, 36-07002A and 36-15984 when combined shall not exceed a total diversion rate of 7.99 cfs.

PRIORITY DATE: 12/07/1979

POINT OF DIVERSION: T06S R21E S22 SWSW Within Lincoln County

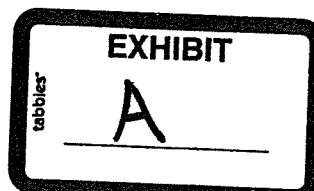
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.91 CFS 612.00 AFY

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R21E S21	NENE 35.0 SENE 39.0
		NESE 40.0 SESE 40.0
	S22	NENW 32.0 NWNW 33.0
		SWNW 40.0 SENW 38.0
		NESW 32.0 NWSW 40.0
		SWSW 36.0 SESW 39.0
	444.0 Acres Total	

Rights 36-02417, 36-07002A and 36-15984 when combined shall not exceed the irrigation of 444 acres.
This right is limited to the irrigation of 153 acres within the 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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-15985

NAME AND ADDRESS: MICHAEL S TELFORD
1450 W HWY 24
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 0.94 CFS
204.00 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.
Rights 36-02416, 36-07002B and 36-15985 when combined shall not exceed a total diversion rate of 5.7 cfs.

PRIORITY DATE: 12/07/1979

POINT OF DIVERSION: T06S R21E S28 SWSENW Within Lincoln County

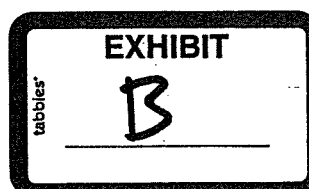
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.94 CFS 204.00 AFY

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R21E S28	
	NENE 40.0	NWNE 37.0
	SWNE 37.0	SENE 40.0
	NENW 40.0	NWNW 36.0
	SWNW 40.0	SENW 38.0
	308.0 Acres Total	

Rights 36-02416, 36-07002B and 36-15985 when combined shall not exceed the irrigation of 308 acres.
This right is limited to the irrigation of 51 acres within the 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

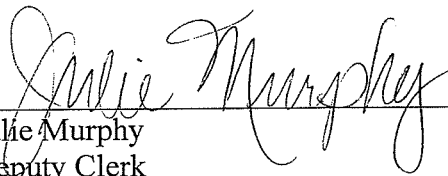
CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **NOTICE OF COURT'S INTENT TO SET ASIDE PARTIAL DECREE AND ENTER FINAL ORDER DISALLOWING WATER RIGHT CLAIM AND NOTICE OF HEARING THEREON / NOTICE OF COURT'S INTENT TO ISSUE PARTIAL DECREES FOR WATER RIGHT NUMBERS 36-15984 AND 36-15985** were mailed on March 15, 2013 by first-class mail to the following:

DIRECTOR OF IDWR
PO Box 83720
Boise, ID 83720-0098

Senter Lark Farm
Rt 2 Box 2560
Paul, ID 83347

Michael S. Telford
1450 W Hwy 24
Paul, ID 83347



Julie Murphy
Deputy Clerk