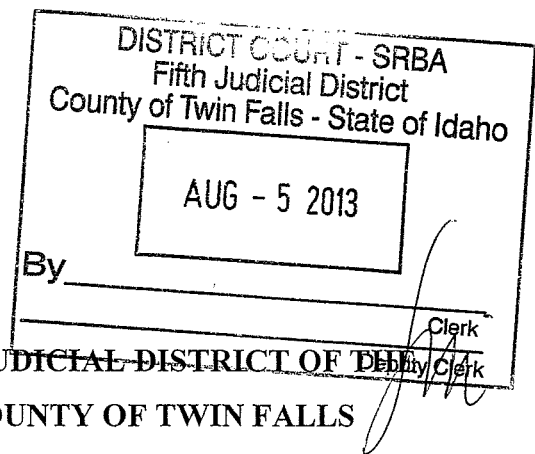


RECEIVED

AUG 06 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

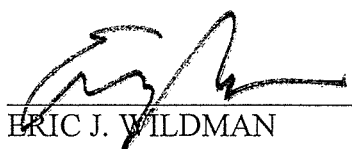
Case No. 39576

) Water Right No.: 75-4108
)
) 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 11, 2009. On July 22, 2013, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error*, requesting that this Court correct an error in the digital boundary map attached to the *Partial Decree*. The *Request* asserts that a Pope Ditch Company water user's land was erroneously not included within the digital boundary for the right even though the land was claimed. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the above-mentioned clerical errors 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 **November 19, 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 August 5, 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 75-04108

NAME AND ADDRESS: POPE DITCH CO
C/O TERRI J MORTON SEC
PO BOX 601
SALMON, ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 56.80 CFS

PRIORITY DATE: 12/31/1883

POINT OF DIVERSION: T20N R22E S06 LOT 14 (SESE) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	56.80 CFS
	Stockwater	01-01 TO 12-31	0.23 CFS

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. This right is limited to the irrigation of 1135 acres within the place of use described above in a single irrigation season. Place of use is within the area served by the Pope Ditch Company.

1135 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

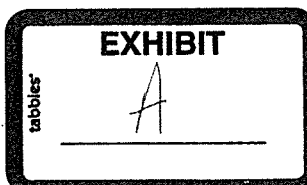
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

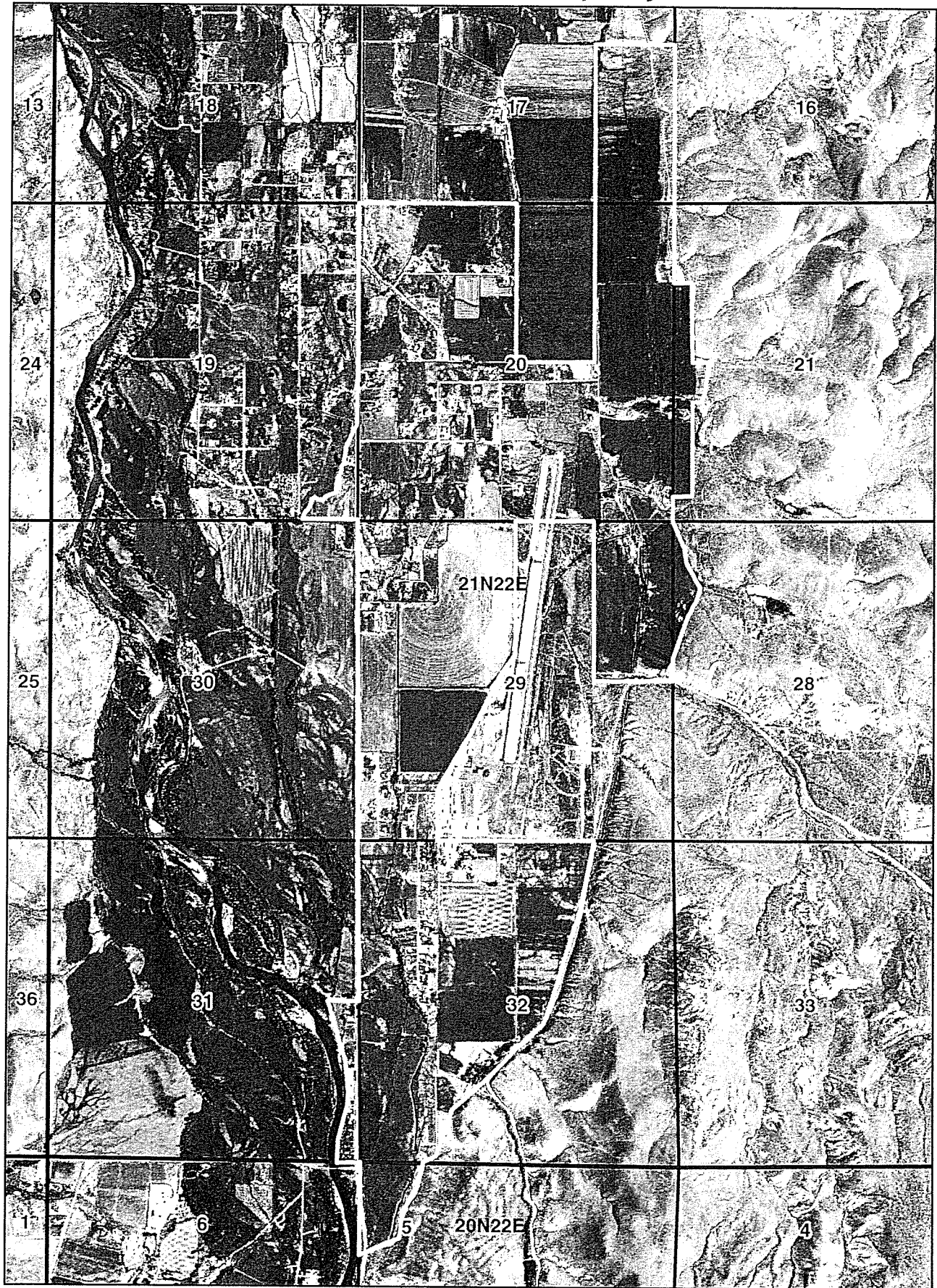
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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



Digital Boundary for 75-4108 Pope Ditch Company



0 1,650 3,300 6,600 Feet

2009 NAIP Aerial Photography
Map prepared 6/13/2013
Idaho Department of Water Resources



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 August 05, 2013, with sufficient first-class postage to the following:

STAN JENSEN
(COURTESY COPY)
16 HYDE LANE
SALMON, ID 83467

POPE DITCH CO
C/O TERRI J MORTON SEC
PO BOX 601
SALMON, ID 83467

MICHAEL J. TYACKE
PO BOX 2156
IDAHO FALLS, ID 83403
Phone: 208-529-3227

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. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".