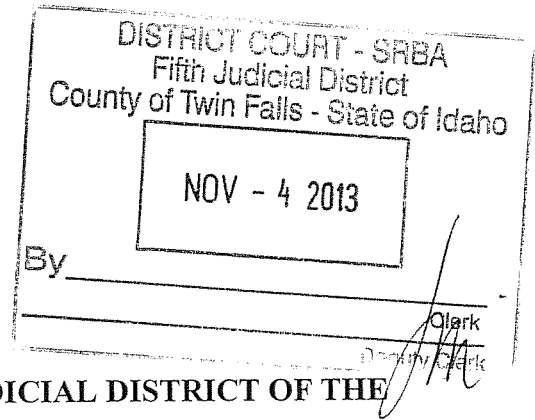


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DEPARTMENT OF
WATER RESOURCES



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.: 22-13467

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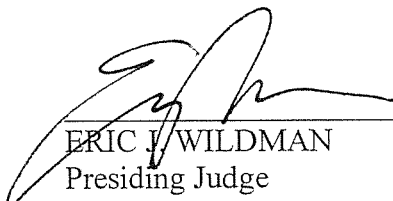
NOTICE OF COURT'S INTENT TO
ISSUE AMENDED PARTIAL DECREE,
AND NOTICE OF HEARING THEREON

A *Partial Decree* was issued for the above-captioned water right on July 31, 2012. On October 30, 2013, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error*, requesting that this Court correct an error involving the combined use language in the place of use element on the *Partial Decree*. The *Request* asserts that although the *Proposed Amended Director's Report* submitted on January 5, 2012, listed the total combined annual diversion volume as "7185.5 af.," the *Partial Decree* erroneously listed the total combine annual diversion volume as "7175.5 af." 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 **February 18, 2014 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 Nov. 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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 22-13467

NAME AND ADDRESS: DIANE P SCHWENDIMAN
VAL E SCHWENDIMAN
9633 E HWY 33
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 2.57 CFS
1090.90 AFY

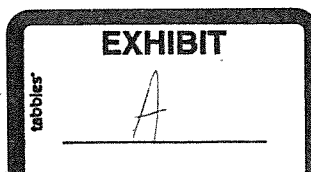
The rights listed below are limited to a total combined annual diversion volume of 7185.5 af. Combined Right Nos.: 22-13466, 22-13467, 22-13468, 22-13469, 22-13470, 22-13471, 22-13472. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 08/19/1965

POINT OF DIVERSION: T06N R41E S01 SENE Within Madison County
LOT 4 (NWNW)
S12 NWSW
S14 SESE

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-01 TO 11-01	2.57 CFS 1090.90 AFY

PLACE OF USE:	Irrigation	Within Madison County
T06N R41E S01	SWNE 39.0	SENE 39.0
LOT 3	(NENW) 38.0	LOT 4 (NWNW) 38.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 32.0	NWSE 39.0
	SWSE 11.0	
S02 LOT 1	(NENE) 39.0	LOT 2 (NWNE) 33.0
	SWNE 39.0	SENE 38.0
LOT 3	(NENW) 15.0	SENE 16.0
	NESW 16.0	SESW 16.0
	NESE 39.0	NWSE 39.0
	SWSE 39.0	SESE 39.0
S11	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 16.0	NESE 40.0
	SESE 40.0	
S12	NENW 39.0	NWNW 39.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
	SWSW 39.0	SESW 40.0
	NWSE 40.0	SWSE 40.0
S13	NENE 39.0	NWNE 40.0
	SWNE 40.0	SENE 39.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0



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

PLACE OF USE (continued)

		Within Fremont County
T07N R41E S36	NESW 4.7	NWSW 8.3
	SWSW 38.0	SESW 27.0
2053.0 Acres Total		

This right is limited to the irrigation of 441 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 2053 acres in a single irrigation season. Combined Right Nos.: 22-13466, 22-13467, 22-13468, 22-13469, 22-13470, 22-13471, 22-13472.

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

MILNER IRRIGATION DISTRICT

Represented by:
BARKER ROSHOLT & SIMPSON LLP
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
ARKOOSH LAW OFFICES
802 W BANNOCK ST SUITE 900
PO BOX 2900
BOISE, ID 83701
Phone: 208-334-5105

CANYON CREEK CANAL CO
DIANE P SCHWENDIMAN
FREMONT MADISON IRRIGATION
VAL E SCHWENDIMAN
VAL SCHWENDIMAN

Represented by:
JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

IGWA INC

Represented by:
RANDALL C BUDGE
201 E CENTER ST STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D LING
PO BOX 623
RUPERT, ID 83350-0623
Phone: 208-434-2717

NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY

Represented by:
TRAVIS L THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318-0248
Phone: 208-678-3250

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

