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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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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

) Subcase 65-06803
)

Case No. 39576
_____)

) ORDER DISMISSING MOTION TO
) SET ASIDE PARTIAL DECREE

On October 2, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the *Motion to Set Aside the Partial Decree* filed by Everett K. Allen on June 23, 2001, is hereby **dismissed with prejudice**. The *Partial Decree Pursuant to I.R.C.P. 54(b)* entered September 25, 1998 remains in effect.

IT IS SO ORDERED.

Dated January 9, 2003.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTION TO SET ASIDE PARTIAL DECREE was mailed on January 09, 2003, with sufficient first-class postage to the following:

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