

2003 NOV 17 PM 2:15

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

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

ORDER SETTING HEARING ON  
MOTION TO SET ASIDE PARTIAL  
DECREE

SUBCASE NOS.: 31-2246, 31-2258G,  
31-2258H, 31-2281, 31-4128, 31-10392A,  
31-10392B, and 31-11284

On November 7, 2003 this court received unsigned correspondence from Douglas M. Fransen indicating there may be some problem with water rights previously decreed by the SRBA court. The correspondence does not identify any water right numbers. However, the SRBA clerk's office docketed the correspondence in the eight subcases listed above since these subcase numbers were referred to on a map attached to the correspondence. The court requests that Douglas M. Fransen provide additional information regarding his correspondence.

- 1) Is Mr. Fransen intending to ask the court to set aside partial decrees in the SRBA?
- 2) What water right numbers does Mr. Fransen wish to refer to?
- 3) If Mr. Fransen seeks a change in the legal description of the place of use for any identified water rights, please indicate exactly what the change should be.

If the changes that are sought by Mr. Fransen involve water rights claimed by the Montevue Canal Company, that entity should attend the hearing to discuss the motion and the water rights involved.

Please be advised that Special Master Brigitte Bilyeu has set the following hearing in the above subcases as follows:

**November 25, 2003**

**10:00 a.m.**

Hearing on Motion to Set Aside Partial Decree  
**Location:** Snake River Basin Adjudication  
253 3<sup>rd</sup> Ave. North  
Twin Falls, Idaho 83301

Parties may participate by phone by dialing conference call number 1-225-383-1099 and when prompted enter the participant code 926509.

Dated: November 17, 2003

  
BRIGETTE BILYEU, Special Master  
Snake River Basin Adjudication

## CERTIFICATE OF MAILING

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE **ORDER SETTING HEARING ON MOTION TO SET ASIDE PARTIAL DECREE** WAS MAILED ON November 17, 2003, WITH SUFFICIENT FIRST-CLASS POSTAGE TO THE FOLLOWING:

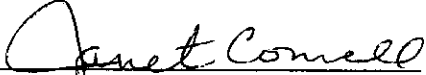
Douglas M Fransen  
PO Box 8  
Montevieu, Idaho 83435

Montevieu Canal Company  
648 E 2600 N  
Montevieu, Idaho 83435

Ray Rigby  
PO Box 250  
Rexburg, Idaho 83440-0250

IDWR  
Eastern Regional Office  
900 N. Skyline Dr.  
Idaho Falls, Idaho 83402

Director of IDWR  
PO Box 83720  
Boise, Idaho 83720-0098

  
Deputy Clerk