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DEPARTMENT OF
WATER RESOURCESDISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2004 AUG 11 PM 3 49

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 ON MOTION TO
) ALTER OR AMEND SPECIAL
) MASTER'S REPORT AND
) RECOMMENDATION

) SUBCASE NO.: 29-4079

A hearing was held on this subcase, and related subcases 29-00376, 29-00377, 29-00389, 00390, and 29-04080 on July 28, 2004. The parties filed *Standard Forms 5* and *Amended Standard Forms 5* settling the elements of each subcase. However, in order to facilitate the changes to the elements for the contested subcases, the parties and IDWR made changes to 29-4079.

A *Special Master's Report and Recommendation* was issued for 29-4079 on June 1, 2004. Therefore, Mr. Maurice Toler made an oral motion at the July 28, 2004 hearing to alter or amend the *Special Master's Report and Recommendation* for 29-4079. Mr. Toler requested that a *Special Master's Report and Recommendation* be issued that reflects the global agreement for all of these subcases, including the changes to the elements of 29-4079 as set forth in the *Amended Standard Form 5*.

Considering that the *Motion to Alter or Amend* was timely filed, and considering the arguments and record on file, the *Motion to Alter or Amend* is **granted**. An *Amended Special Master's Report and Recommendation* consistent with the *Amended Standard Form 5* will issue.
DATED August 11, 2004.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTION TO ALTER OR AMEND SPECIAL MASTER'S REPORT AND RECOMMENDATION was mailed on August 11, 2004, with sufficient first-class postage to the following:

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