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DEPARTMENT OF
WATER RESOURCES

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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

) Subcase: 51-07071

Case No. 39576

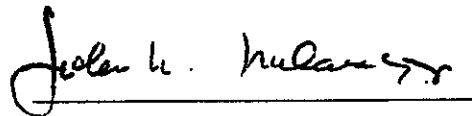
)
) ORDER DISMISSING MOTION TO SET
) ASIDE PARTIAL DECREE
)

A *Partial Decree* in the above-captioned subcase was filed on June 26, 1998. On February 3, 2000, Brackett Ranches Ltd., and Bert Brackett (collectively as "Brackett"), filed a *Motion to Set Aside a Partial Decree* in the above captioned water right. An *Order of Reference Appointing Thomas R. Cushman Special Master* was issued by the Court on March 3, 2000. At a hearing before Special Master Cushman on June 21, 2000, a Motion was made by Brackett to withdraw the *Motion to Set Aside Partial Decree* in the above subcase. The Motion to withdraw the motion was granted from the bench. No written order or *Master's Report* was filed.

For administrative purposes, the Court finds that a written order is necessary.

THEREFORE, based on the foregoing, the *Motion to Set Aside Partial Decree* filed in the above-captioned subcase is hereby **dismissed with prejudice**.

Dated August 11, 2004



John M. Melanson
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 August 11, 2004, with sufficient first-class postage to the following:

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