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Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC - 9 2002

By _____

Clark
Deputy Clerk

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

) Subcases: See Exhibit A
)
) ORDER DISMISSING MOTION TO SET
) ASIDE PARTIAL DECREES
)

On November 10, 1999, C.E. Brackett Cattle Co., Brackett Ranches Ltd., and Brackett Livestock Inc. (collectively as "Brackett"), filed motions to set aside partial decrees previously issued to the claimant, United States Department of Interior, Bureau of Land Management (United States), for the 43 above-captioned water rights. On June 21, 2001, the Special Master issued a *Special Master's Recommendation Denying Motions to Set Aside Partial Decrees*. On March 12, 2002, the Special Master issued an *Order Denying Motion to Alter or Amend*. On March 26, 2002, Brackett filed a *Notice of Challenge*. Proceedings on the *Challenge* were stayed pending the outcome of ongoing negotiations by the parties.

On November 1, 2002, Brackett and the United States entered into a *Stipulation* resolving, *inter alia*, the *Notice of Challenge* filed in the above-captioned subcases. The Idaho Department of Water Resources concurred with the *Stipulation*. On December 5, 2002, pursuant to a hearing set on the matter, after hearing no objections from the Special Masters presiding over other subcases also included in the *Stipulation*, this Court ratified the *Stipulation* in its entirety.

THEREFORE, based on the foregoing, the *Motions to Set Aside Partial Decrees* filed in each of the above-captioned subcases are hereby **dismissed with prejudice**.

Dated: DECEMBER 9, 2002



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

51-02283
51-02289
51-02299
51-02300
51-02301
51-02302
51-02313
51-02317
51-02318
51-02326
51-02328
51-02356
51-02358
51-02360
51-02393
51-04062
51-04063
51-04064
51-04065
51-04066
51-04067
51-04068
51-04070
51-04079
51-04082
51-11889
51-11899
51-11901
51-11903
51-11904
51-11905
51-11920
51-11953
51-11954
51-11958
51-12094
51-12097
51-12167
51-12376
51-12451
51-12452
51-12834
51-12835

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTIONS TO SET ASIDE PARTIAL DECREES was mailed on December 10, 2002, with sufficient first-class postage to the following:

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