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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	) Subcases: 47-16056
	)
Case No. 39576	) NOTICE OF COURT'S INTENT TO SET
	) ASIDE PARTIAL DECREE AND REFER
	) SUBCASE TO SPECIAL MASTER FOR
	) FURTHER PROCEEDINGS; AND
	) NOTICE OF HEARING THEREON
	)

A *Partial Decree* was issued for the above-captioned water right on March 13, 2000. The claim is a federal reserved water right based on PWR 107. Court records indicate that the State of Idaho filed an objection to the claim and the matter was set for an initial hearing. A *Partial Decree* was then issued on March 13, 2000. However, no *Standard Form 5* or *Special Master's Report and Recommendation* was filed prior thereto. Thus, based on Court records, the *Partial Decree* appears to have been issued in error. Previously on August 10, 1999, the State of Idaho and the United States filed a *Stipulation to Resolve Objections to Certain Claims Based Upon PWR 107* ("*Stipulation*"), which resolved numerous objections to PWR 107 claims where the source was described as tributary to "sinks." Water right claim 47-16056 was not included in the *Stipulation* although water right claim 47-16506 was included and the similarity of the two numbers may have resulted in 47-16056 being erroneously decreed.

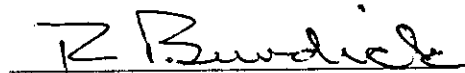
THEREFORE, based on the foregoing, the Court intends to set aside the *Partial Decree* for the water right 47-16056 and refer the matter to a special master for further proceedings consistent with this *Order*. A hearing will be held on Tuesday, November

NOTICE OF COURT'S INTENT TO SET ASIDE PARTIAL DECREE
AND REFER SUBCASE TO SPECIAL MASTER FOR FURTHER PROCEEDINGS.
AND NOTICE OF HEARING THEREON

19, 2002 at 1:30 p.m. at the SRBA Courthouse, 253 3rd Avenue North, Twin Falls, Idaho.

Parties having no objections to the Court setting aside the *Partial Decree* need not appear as the *Partial Decree* will be set aside and the matter referred to a special master in the absence of any objection to the contrary.

Dated 10-29-02

A handwritten signature in black ink, appearing to read "R. Burdick", written over a horizontal line.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE was mailed on October 29, 2002, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
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STATE OF IDAHO
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USDI BLM

Represented by:
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