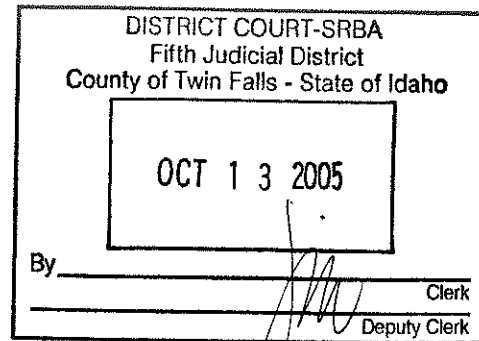




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) **ORDER SETTING ASIDE PARTIAL**
) **DECREES ISSUED IN ERROR; I.R.C.P**
) **60(a);**
)
) **ORDER SETTING DEADLINE TO FILE**
) **AFFIDAVITS AND SETTING**
) **EVIDENTIARY HEARING ON**
) **FEDERAL RESERVED WATER RIGHT**
) **CLAIMS ; I.C. 42-1411A**
)
) **For water right claims: 34-13676, 34-13678,**
) **34-13681, 34-13683, 34-13684, 34-13685,**
) **34-13689, 34-13691, 34-13692, 34-13693,**
) **34-13694, 34-13695, 34-13696, 34-13697,**
) **34-13698 and 34-13704**

The above-captioned water right claims were claimed as dual-based late claims by the United States acting through the United States Department of Interior, Bureau of Land Management. Leave to file the late claims was granted July 12, 2002. The claims were reported in the *Director's Report for Late Claims, Part I* filed with the Court by the Idaho Department of Water Resources on April 22, 2005. The claims were uncontested as to either the state or federal reserved basis. **Partial Decrees** were issued in error following a hearing on the uncontested claims for the *Director's Report for late Claims, Part I*, as the Court was required to conduct an evidentiary hearing on the federal reserved basis for the claim. Additionally, the **Partial Decrees** erroneously contained

ORDER SETTING ASIDE PARTIAL DECREEES ISSUED IN ERROR; I.R.C.P 60(a);

**ORDER SETTING DEADLINE TO FILE AFFIDAVITS AND SETTING EVIDENTIARY
HEARING ON FEDERAL RESERVED WATER RIGHT CLAIMS; I.C. 42-1411A**

elements of both a state-based and a federal reserved water right pursuant to Public Water Reserve 107.

Therefore, based on the foregoing, THE FOLLOWING ARE HEREBY ORDERED:

1. Pursuant to I.R.C.P. 60(a), the *Partial Decrees* previously issued on August 18, 2005, for water right claims **34-13676, 34-13678, 34-13681, 34-13683, 36-13684, 34-13685, 34-13689, 34-13691, 34-13692, 34-13693, 36-13694, 34-13695, 34-13696, 34-13697, 34-13698 and 34-13704** are hereby set aside.
2. Pursuant to I.C. 42-1411A, an evidentiary hearing is set for **December 20, 2005, at 1:30 p.m. (MST), at the Snake River Basin Adjudication Courthouse 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.**
3. **All affidavits in support of federal reserved water right claims should be filed in advance of hearing and no later than December 12, 2005.**

Dated October 13, 2005


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER SETTING ASIDE PARTIAL DECREES ISSUED IN ERROR; I.R.C.P 60(a);

ORDER SETTING DEADLINE TO FILE AFFIDAVITS AND SETTING EVIDENTIARY HEARING ON FEDERAL RESERVED WATER RIGHT CLAIMS; I.C. 42-1411A

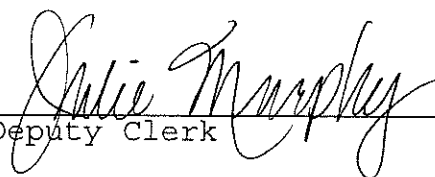
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREES AND ORDER SETTING DEADLINE TO FILE AFFIDAVITS
AND ORDER SETTING HEARING was mailed on October 13, 2005, with
sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible despite the cursive style.