

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2005 NOV 8 PM 2 42

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	)	ORDER ON WITHDRAWAL OF
	)	MOTION TO SET ASIDE PARTIAL
Case No. 39576	)	DECREE
	)	
_____	)	WATER RIGHT NO.: 29-02554

I. PROCEDURAL BACKGROUND

A *Motion to Set Aside Partial Decree* was filed in subcase number 29-02554 on March 30, 2005 by Klaren Koompin of Koompin Bros. LLC. The SRBA District Court issued an *Order of Reference to Special Master Brigitte Bilyeu* on March 30, 2005. A status conference was set on May 11, 2005. Mr. Koompin filed a letter on September 30, 2005, requesting his Motion be withdrawn. The letter was treated as a *Motion to Withdraw Motion to Set Aside Partial Decree*. No parties to the SRBA opposed the *Withdrawal*.

III. FINDINGS AND CONCLUSIONS

Therefore, IT IS ORDERED that the *Motion to Set Aside Partial Decree* be set aside **with prejudice**. IT IS FURTHER ORDERED, that the hearing set on November 16, 2005 at 9:30 is **vacated**. A *Special Master's Report and Recommendation* shall issue recommending 29-2554 **not be confirmed** in any partial or final decree.

DATED November 8, 2005.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON
WITHDRAWAL OF MOTION TO SET ASIDE PARTIAL DECREE was mailed
on November 08, 2005, with sufficient first-class postage to
the following:

GREG & LLOYDE FARMS
C/O GREG CANNELL
PO BOX 240
AMERICAN FALLS, ID 83211
Phone: 208-226-2872

KOOMPIN BROS LLC
C/O KLAREN KOOMPIN
3062 S FRONTAGE RD
AMERICAN FALLS, ID 83211
Phone: 208-221-1317

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


Deputy Clerk