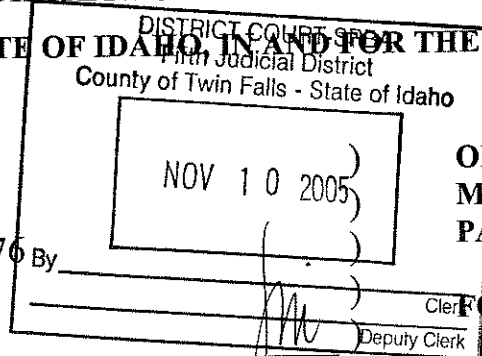


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576



ORDER SETTING HEARING ON
MOTION FOR RELIEF FROM
PARTIAL DECREE

FOR WATER RIGHT: 73-11902

A *Partial Decree* was issued for the above right on April 15, 2004. On November 10, 2005, the claimant of the water right, the United States, Department of Interior, Bureau of Land Management, filed a *Motion for Relief from Partial Decree to Correct a Clerical Mistake and Memorandum of Points and Authorities in Support*. The *Motion* stated that the above water right had been decreed with the wrong place of use, specifically, Lot 2 (SWSW), Section 31, T.16N., R.22E., B.M.. The *Motion* states that the place of use should be Lot 2 (NWNW), Section 31, T.16N., R.22E., B.M. The *Motion* states that the error resulted from an error in the *Standard Form 5* filed on October 20, 2003, which was reflected in the *Special Master's Report* of January 30, 2003. The Court notes that the *Affidavit of Alan Bittner*, which made changes to the original claim and *Director's Report*, states that the place of use for the right would be accurately described as Lot 2, T16N R22E Sec 31, without any further breakdown of the lot description. It is unclear to the Court whether this is truly a clerical error, or whether an additional or amended affidavit describing the nature of the error should be filed.

Therefore, IT IS ORDERED, that a **Hearing on the Motion will be held at 1:30 p.m (MST) on December 20, 2005, at the Snake River Basin Adjudication Courthouse, 253 3rd Ave. N. Twin Falls, ID.** Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted. Any further motions or affidavits shall be filed on or before December 15, 2005.

DATED: November 10th, 2005

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING HEARING ON MOTION FOR RELIEF FROM PARTIAL DECREE was mailed on November 10, 2005, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BLM

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.