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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2005 NOV 14 PM 12 46

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	)	SPECIAL MASTER'S REPORT
	)	AND RECOMMENDATION ON
Case No. 39576	)	MOTION TO SET ASIDE PARTIAL
	)	DECREE
	)	
	)	WATER RIGHT NO.: 29-02554

I. PROCEDURAL HISTORY

A *Motion to Set Aside Partial Decree* was filed in subcase number 29-02554 on March 30, 2005 by Klaren Koopin of Koopin 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. Koopin filed a letter on September 30, 2005, requesting his Motion be withdrawn.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*. This Special Master ordered the *Motion* was withdrawn with prejudice. *Order on Withdrawal of Motion to Set Aside Partial Decree* (November 8, 2005)

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that there be no change to the *Partial Decree* issued on March 22, 2004. The *Partial Decree* for 29-02554 should not be set aside, and no *Amended Partial Decree* should issue.

Dated: November 14, 2005.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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TWIN FALLS CO., IDAHO
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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

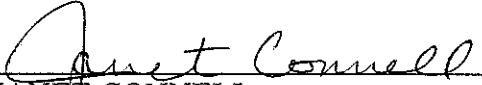
In Re SRBA	)	NOTICE OF ISSUANCE OF
	)	SPECIAL MASTER'S
Case No. 39576	)	RECOMMENDATION
	)	
_____	)	Water Right (s) : 29-02554

On November 14, 2005, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION ON MOTION TO SET ASIDE PARTIAL DECREE for the above subcase (s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 14, 2005.


JANET CONNELL
Deputy Clerk

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

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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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right (s) : 29-02554

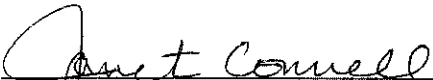
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT
AND RECOMMENDATION ON MOTION TO SET ASIDE PARTIAL DECREE was
mailed on November 14, 2005, with sufficient first-class postage prepaid to the
following:

Director of IDWR
PO Box 83720
Boise, Idaho 83720-0098

Greg & Lloyd Farms
C/O Greg Cannell
Po Box 240
American Falls, Idaho 83211

Koompin Bros LLC
C/O Klaren Koompin
3062 S Frontage Rd
American Falls, Idaho 83211


Deputy Clerk