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DEC - 1 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 30 2005	
By _____	Clerk
_____	Deputy Clerk

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
-) DECREE I.R.C.P. 60(a).
-) And
-) ORDER OF REFERENCE TO
-) THEODORE R. BOOTH
-)
-) For Water Rights: 72-13093, 72-13619,
-) 72-13651, 72-14621, 72-14645, 72-14711
-) and 72-15419

On December 1, 2000, a **Partial Decree** was issued for the above-captioned water right. There was a clerical error involved in the decreeing of the right. The right was reported in the *Director's Report* as a "dual-based" water right, meaning the right was claimed on both a state law and federal reserved right basis. Because of this, the right should have been before the Special Master to proceed with the claims pursuant to I.C. § 42-1411A(12). Instead, the right was decreed on both the state and federal basis.

THEREFORE, IT IS ORDERED that the **Partial Decree** issued in the above subcases be **withdrawn and set aside pursuant to I.R.C.P. 60(a)**.

IT IS FURTHER ORDERED that Special Master Theodore Booth be appointed to preside over and conduct all proceedings necessary to issue a recommendation for the above water right consistent with **AOI** and proceed in accordance with I.C. 42-1411A(12).

DATED Nov. 29, ~~2005~~, 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
ASIDE PARTIAL DECREE I.R.C.P. 60(A) AND ORDER OF REFERENCE TO
THEODORE R BOOTH was mailed on November 30, 2005, with sufficient
first-class postage to the following:

USDI BLM

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

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ORDER

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Deputy Clerk

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 name "Julie" and last name "Murphy" clearly distinguishable.