

RECEIVED
MAY 1 2006
DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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

) Subcase Nos.: 45-02428, 45-02485
) and 45-04242
)
) **ORDER GRANTING MOTION TO**
) **SET ASIDE PARTIAL DECREES**
) **WITH CONDITIONS**
)

This matter came before the Court pursuant to a *Motion to Set Aside Partial Decrees* filed, through counsel, on January 23, 2006. The basis for the *Motion* is an alleged error in the legal description for one of the points of diversion in each of the above-captioned water rights. The *Motion* was not contested.

The Court finds good cause for setting aside the *Partial Decrees*. However, such is contingent on the claimant's timely response to requests for information requested by IDWR field agents in connection with correcting the alleged errors.

THEREFORE, based on the foregoing, the *Motion to Set Aside Partial Decrees* is **granted**.

IT IS FURTHER ORDERED that the matter is recommitted to IDWR for the issuance of an *Amended Director's Report*. Upon filing of the *Amended Director's Report* this matter will then proceed according to docket sheet procedure. Failure of claimant to timely comply with IDWR's requests for information could result in re-entry of *Partial Decrees* as presently decreed.

DATED May 1, 2006.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

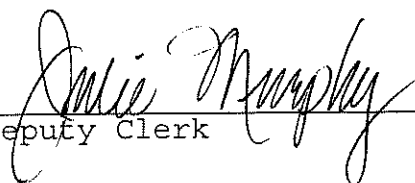
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO SET ASIDE PARTIAL DECREES WITH CONDITIONS was mailed on May 01, 2006, with sufficient first-class postage to the following:

DIANNE L SOMSEN
Represented by:
WILLIAM T GOODMAN
717 - 7TH STREET
PO BOX D
RUPERT, ID 83350
Phone: 208-436-4774

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

G FRANK SOMSEN
214 WESTSIDE DRIVE
RUPERT, ID 83350
Phone: 208-436-3623

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.