

2006 MAY 22 AM 10:41

DIST. COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

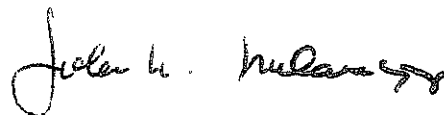
In Re SRBA)
) Subcase 24-10004
Case No. 39576)
) ORDER CONDITIONALLY SETTING
) ASIDE PARTIAL DECREE

A *Partial Decree* was issued for the above-captioned water right on February 12, 1999. On May 5, 2006, the Court received correspondence from IDWR stating that the *Partial Decree* is in error, and this error originated in the *Director's Report* issued for this right on May 11, 1998. Specifically, IDWR states that the water right is an irrigation water right and should not have been reported in the *Director's Report* for domestic and stockwater rights, but rather it should be reported in the forthcoming *Director's Report* for irrigation and other water rights. Because the water right was reported in the *Director's Report* for domestic and stockwater rights, there is no acreage listed in the place of use.

In accordance with the foregoing, the *Partial Decree* previously issued for this water right is conditionally set aside pending the reporting of the claim in the forthcoming *Directors Report for Irrigation and Other Rights* for Basin 24.

IT IS SO ORDERED.

DATED May 22, 2006



John M. Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONDITIONAL SETTING ASIDE PARTIAL DECREE was mailed on May 22, 2006, with sufficient first-class postage to the following:

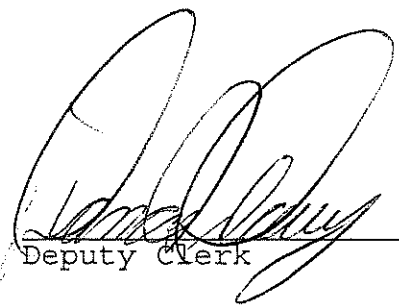
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CHARLES BATEMAN
STAR ROUTE
FREEDOM, WY 83120

ORDER

Page 1 5/22/06

FILE COPY FOR 00039


Deputy Clerk