

2007 MAR 19 AM 11:16

DISTRICT 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	)	SPECIAL MASTER'S REPORT
	)	AND RECOMMENDATION ON
Case No. 39576	)	MOTION TO SET ASIDE PARTIAL
	)	DECREE
_____	)	WATER RIGHT NO.: 37-04322A

I. PROCEDURAL BACKGROUND

A *Motion to Set Aside Partial Decree* was filed by Nellie P. Hammond and Cyndi Hammond-Wood on November 17, 2006. The presiding Judge John M. Melanson issued an *Order of Reference Appointing Special Master Brigitte Bilyeu* on November 17, 2006.

Hearings were held on January 31, 2007 and March 14, 2007. At the hearing on March 14, 2007, Ms. Hammond-Wood informed the court that she was unable to obtain additional evidence of an earlier priority and that she was satisfied with the previously decreed priority date. Ms. Hammond-Wood stated that she wished to withdraw the *Motion*. There was no opposition to the withdrawal of the *Motion*.

III. FINDINGS AND CONCLUSIONS

Therefore, IT IS ORDERED the *Motion to Set Aside Partial Decree* is **denied**. THEREFORE, IT IS RECOMMENDED that there be no changes to the *Partial Decree* issued September 29, 2006. No *Amended Partial Decree* should issue.

DATED: March 19, 2007.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

2007 MAR 19 AM 11:17

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *J*

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) : 37-04322A

On March 19, 2007, 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: March 19, 2007.


JANET CONNELL
Deputy Clerk

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DISTRICT 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right (s) : 37-04322A

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 March 19, 2007, with sufficient first-class postage prepaid to the following:

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

Lloyd & Nellie Hammond
519 B River Rd
Bliss, Idaho 83314

Cyndi Hammond-Wood
518 River Rd.
Bliss, Idaho 83314


Deputy Clerk