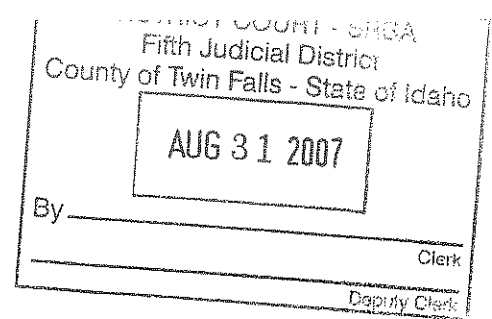




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase 79-10065
)
Case No. 39576) ORDER DISMISSING MOTION TO SET
) ASIDE PARTIAL DECREE BASED
) UPON WITHDRAWAL OF MOTION
)
_____)

On December 29, 2000, a *Partial Decree* was issued for the above-captioned water right. On August 30, 2007, Jim Rupp submitted to the SRBA Court a *Standard Form 1 Objection* to the water right. Because a *Partial Decree* had already been issued for the right, the objection form was treated as a motion to set aside a partial decree.

The matter was heard on August 28, 2007. At the hearing, on the record, Mr. Rupp withdrew his motion to set aside the partial decree. Based upon such withdrawal, it is hereby ordered that the motion is **dismissed**. Because the motion has been withdrawn, no special master's report and recommendation will be issued.

The clerk of the Court is instructed to re-code the subcase in the Court's register of action (IWATRS) as "partial decree issued."

Dated August 29, 2007

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTION TO SET ASIDE PARTIAL DEDREE BASED UPON WITHDRAWAL OF MOTION was mailed on August 31, 2007, with sufficient first-class postage to the following:

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