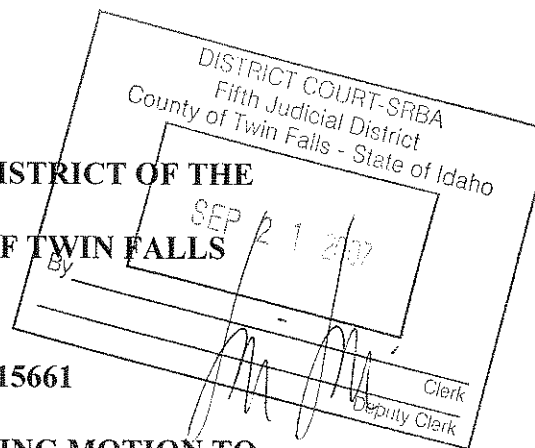


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS



In Re SRBA

Case No. 39576

) Subcase No.: 74-15661
)
) ORDER GRANTING MOTION TO
) SET ASIDE PARTIAL DECREE AND
) REQUEST FOR AMENDED
) DIRECTOR'S REPORT
)

A *Partial Decree* for the above-captioned water right claim was issued on January 26, 2007. On February 12, 2007, the claimant filed a *Motion to Set Aside Partial Decree*. On July 19, 2007, a *Special Master's Report and Recommendation* was filed recommending that the *Partial Decree* be set aside. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the *Partial Decree* issued for the above-captioned water right is set aside.

IT IS FURTHER ORDERED that the claim be recommitted to the Idaho Department of Water Resource for further investigation and the filing of an *Amended Director's Report*.

DATED September 20, 2007.



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 DECREE AND REQUEST FOR AMENDED DIRECTOR' REPORT was mailed on September 21, 2007, with sufficient first-class postage to the following:

F JAMES WHITTAKER

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NOTICE

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Deputy Clerk