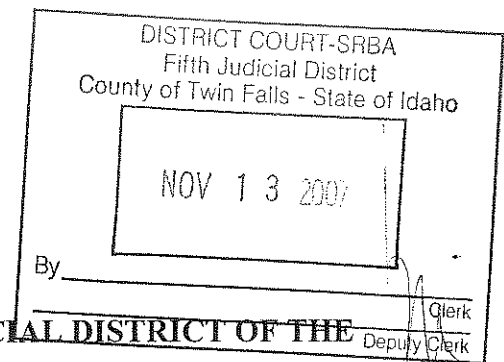




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) Subcases: 03-07009, 03-07034, 03-10198,
) 67-02320, 67-04291, 67-04412, 67-10971,
) 67-10975 & 67-14129
)
) ORDER SETTING ASIDE PARTIAL
) DECREES FOR WATER RIGHT
) CLAIMS 03-07009, 03-07034, 03-10198
) AND ORDER OF REFERENCE OF CITY
) OF WEISER'S CLAIMS TO SPECIAL
) MASTER TERENCE DOLAN
)

The City of Weiser filed ten claims in the SRBA. *Partial Decrees* were previously issued for water right claims 03-07009, 03-07034 and 03-10198. Water right claim 03-10010 is currently pending before Special Master Dolan. Water right claims 67-02320, 67-04291, 67-04412, 67-10971, 67-10975 and 67-14129 were previously referred to Special Master Booth. On July 27, 2007, the City of Weiser, through counsel, filed a *Motion to Set Aside Partial Decrees* for water right claims 03-07009, 03-07034 and 03-10198 and to allow all ten claims to proceed before the same special master. The matter was referred to a special master for further proceedings. On October 17, 2007, Special Master Dolan issued a *Special Master's Report and Recommendation* recommending the partial decrees for water right claims 03-07009, 03-07034 and 03-10198 be set aside and that all ten claims proceed before Special Master Dolan.

ORDER SETTING ASIDE PARTIAL DECREES FOR WATER RIGHT CLAIMS 03-07009, 03-07034, 03-10198 AND ORDER OF REFERENCE OF CITY OF WEISER'S CLAIMS TO SPECIAL MASTER TERENCE DOLAN

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 wholly adopts them as its own.

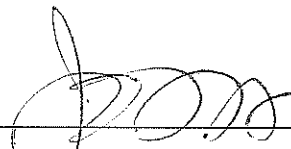
THEREFORE, based on the foregoing, THE FOLLOWING ARE HEREBY ORDERED:

IT IS ORDERED that the *Partial Decrees* issued claims 03-07009, 03-07034 and 03-10198 are set aside.

IT IS FURTHER ORDERED that subcases 67-02320, 67-04291, 67-04412, 67-10971, 67-10975 and 67-14129 are referred to Special Master Dolan to be heard in conjunction with the City of Weiser's claims in Basin 03 consistent with authority conferred by the general order of reference previously issued to Special Master Dolan for Basin 03.

IT IS SO ORDERED

Dated Nov. 13, 2007



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER SETTING ASIDE PARTIAL DECREES FOR WATER RIGHT CLAIMS 03-07009, 03-07034, 03-10198 AND ORDER OF REFERENCE OF CITY OF WEISER'S CLAIMS TO SPECIAL MASTER TERENCE DOLAN

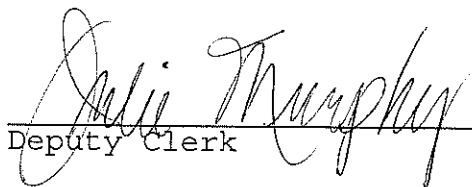
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREES FOR WATER RIGHT CLAIMS AND ORDER OF REFERENCE
OF CITY OF WEISER'S CLAIMS was mailed on November 13, 2007,
with sufficient first-class postage to the following:

CITY OF WEISER

Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".