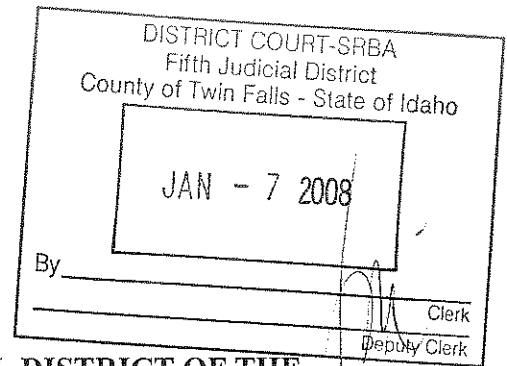


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JAN 08 2008

DEPARTMENT OF
WATER RESOURCES



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: 01-71C (Scott) and 01-71E
) (Table Rock Development LLC)
)
) ORDER SETTING ASIDE PARTIAL
) DECREES FOR WATER RIGHT
) CLAIMS 01-71C and 01-71E AND
) ORDER OF REFERENCE TO SPECIAL
) MASTER TERRENCE DOLAN FOR
) FURTHER PROCEEDINGS
)
)
)

Partial Decrees were previously issued for the above-captioned water right claims on September 14, 2007. On November 15, 2007, a *Motion to Set Aside the Partial Decrees* was filed alleging a recently discovered unrecorded transfer of the water rights affecting the allocation of water as between the above-captioned claims and overlapping water right claims 01-71B and 01-71F, presently at issue. The matter was referred to the Special Master for further proceedings on the *Motion*. On December 12, 2007, Special Master Dolan issued a *Special Master's Report and Recommendation* recommending the *Partial Decrees* for water right claims water right claims 01-71C and 01-71E, be set aside to allow for the proper allocation as between all four claims

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.

ORDER SETTING ASIDE PARTIAL DECREES FOR WATER RIGHT CLAIMS 01-71C and 01-71E AND ORDER OF REFERENCE TO SPECIAL MASTER TERRENCE DOLAN FOR FURTHER PROCEEDINGS

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

IT IS ORDERED that the *Partial Decrees* issued for water right claims 01-71C and 01-71E are set aside.

IT IS FURTHER ORDERED that subcases 01-71C and 01-71E are referred to Special Master Dolan to be heard in conjunction with the related proceedings in subcases 01-71B and 01-71F.

IT IS SO ORDERED

Dated January 7, 2008

A handwritten signature in black ink, appearing to read 'John M. Melanson', is written over a horizontal line.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREES AND ORDER OF REFERENCE TO SPECIAL MASTER
TERRENCE DOLAN FOR FURTHER PROCEEDINGS was mailed on January
07, 2008, with sufficient first-class postage to the following:

R WYDELL JOHNSON

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R GENE SCOTT
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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".