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FEB 29 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 28 2008	
By _____	Clerk
_____	Deputy Clerk

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

) For water right claim: 74-15535
)
) ORDER SETTING ASIDE PARTIAL
) DECREE
)
) ORDER OF RECOMMITMENT TO
) IDWR FOR INVESTIGATION AND
) AMENDED RECOMMENDATION AND
) REPORT
)

A *Partial Decree* was entered for the above-captioned water right on June 9, 2007. On January 22, 2008, the claimant filed a *Motion to File Amended Notice of Claim* to amend the source. The matter was referred to a Special Master for proceedings on the *Motion*. On February 20, 2008, Special Master Dolan issued a *Special Master's Report and Recommendation* recommending that the *Partial Decree* be set aside and that the claim be recommitted to the Idaho Department of Water Resources for further investigation and a recommendation.

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 Decree* for water right claim 74-15535 be set aside.

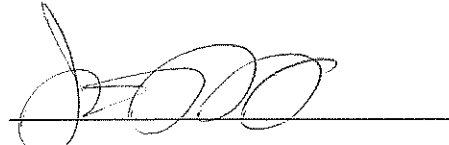
ORDER SETTING ASIDE PARTIAL DECREE AND ORDER OF RECOMMITMENT TO IDWR
FOR INVESTIGATION AND AMENDED RECOMMENDATION

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IT IS FURTHER ORDERED that the claim be recommitted to the Idaho Department of Water Resources for further investigation and the issuance of an amended recommendation and director's report.

IT IS SO ORDERED

Dated Feb. 27, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

**ORDER SETTING ASIDE PARTIAL DECREE AND ORDER OF RECOMMITMENT TO IDWR
FOR INVESTIGATION AND AMENDED RECOMMENDATION**

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREE AND ORDER OF RECOMMITMENT TO IDWR FOR RECOMMEND
was mailed on February 28, 2008, with sufficient first-class
postage to the following:

VELMA MAHAFFEY
PO BOX 14
LEMHI, ID 83465
Phone: 208-768-2413

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".