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MAR 24 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 20 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

)
) ORDER GRANTING MOTION TO SET
) ASIDE PARTIAL DECREE
)
) NOTICE OF HEARING ON STATUS OF
) LICENSE
)
) For water right claim: 01-07082

A *Partial Decree* was issued for the above-captioned water right claim on September 14, 2007. The *Partial Decree* was issued based on a permit and was made subject to all conditions included in the license. On February 14, 2008, the claimant, City of Burley, through counsel, filed a motion with the Court to set aside the *Partial Decree* in order to make the *Partial Decree* consistent with the elements and terms of the forthcoming license. In order to avoid any potential inconsistencies between a partial decree and a subsequently issued license, the practice of the Court has been to temporarily withhold the issuance of the partial decree until after the license is issued.

Accordingly, IT IS HEREBY ORDERED, that the *Motion to Set Aside Partial Decree* is **Granted**.

IT IS FURTHER HEREBY ORDERED that a hearing will be held on the status of the license on **Tuesday, May 20, 2008, at 1:30 p.m. (Mountain Time)** at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho for purposes of determining an estimated time on the issuance of the license. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

ORDER GRANTING MOTION TO SET ASIDE PARTIAL DECREE

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IT IS FURTHER ORDERED that if the Court is notified via a *Notice of Completed Administrative Proceeding* that the license has been issued prior to the hearing date, the Court will vacate the hearing.

Dated March 20, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

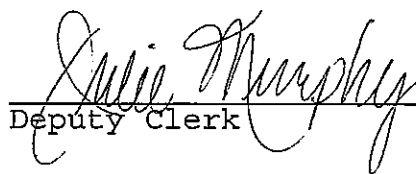
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO SET ASIDE PARTIAL DECREE AND NOTICE OF HEARING ON STATUS OF LICENSURE was mailed on March 20, 2008, with sufficient first-class postage to the following:

CITY OF BURLEY

Represented by:
RANDOLPH CALVIN STONE
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382

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".