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DEPARTMENT OF
WATER RESOURCES

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	SPECIAL MASTER'S REPORT
	)	AND RECOMMENDATION ON
Case No. 39576	)	MOTION TO SET ASIDE PARTIAL
	)	DECREE.
_____	)	WATER RIGHT NO.: 37-14268

I. PROCEDURAL BACKGROUND

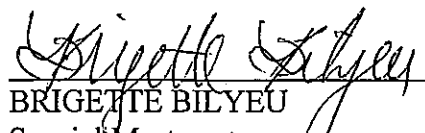
A *Motion to Set Aside Partial Decree* was filed by Jenna Rovig on July 10, 2007. The presiding Judge John M. Melanson issued an *Order of Reference Appointing Special Master Brigitte Bilyeu* on July 10, 2007.

Hearings were held on September 19, 2007, November 21, 2007, February 1, 2008, May 21, 2008 and September 3, 2008. At the hearing on September 3, 2008, the Idaho Department of Water Resources reported that a *Standard Form 5* was filed for water right number 37-570B. IDWR informed the court that it believed that the resolution to 37-570B also resolved the issue relating to the *Motion to Set Aside Partial Decree* for water right 37-14268. Jenna Rovig did not attend the hearing on September 3, 2008.

III. FINDINGS AND CONCLUSIONS

Therefore, IT IS ORDERED the *Motion to Set Aside Partial Decree* is **denied**. THEREFORE, IT IS RECOMMENDED that there be no changes to the *Partial Decree* for water right 37-14268 issued July 17, 2000. No *Amended Partial Decree* should issue.

DATED: September 11, 2008.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

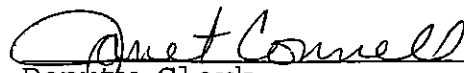
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND RECOMMENDATION ON MOTION TO SET ASIDE PARTIAL DECREE was mailed on September 12, 2008, with sufficient first-class postage to the following:

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

ROBERT A BUSCH
2311 14TH AVE E
SEATTLE, WA 98112
Phone: 206-329-7381

JENNA ROVIG
236 E SHAFER VIEW DR
MERIDIAN, ID 83642
Phone: 208-562-0455


Deputy Clerk