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DEPARTMENT OF  
WATER RESOURCES

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

SEP 26 2008

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 DISMISSING MOTION TO SET  
) ASIDE PARTIAL DECREE

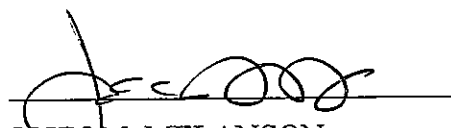
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) For Water Right: 21-00079  
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)  
)  
)

A *Motion to Set Aside Partial Decree* for the above-captioned water right was filed by Arcadia Reservoir and Canal Company, Ltd. on March 26, 2008. The matter was referred to the Special Master for further proceedings. On September 12, 2008 the Special Master issued a *Special Master's Report and Recommendation on Motion to Set Aside Partial Decree* recommending the *Partial Decree* for the above-captioned right not be set aside due to resolution of the subcase.

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 it's own.

Therefore, IT IS ORDERED that the *Motion to Set Aside Partial Decree* for the above-captioned water right is hereby dismissed with prejudice. The SRBA Clerk of the Court is instructed to close out the register of action for this subcase.

Dated Sept. 26, 2008

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTION TO SET ASIDE PARTIAL DECREE was mailed on September 26, 2008, with sufficient first-class postage to the following:

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