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DEPARTMENT OF
WATER RESOURCES

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

JAN - 7 2009

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

) Water Rights: 29-02337

) ORDER DENYING MOTION TO SET ASIDE
) PARTIAL DECREE
)

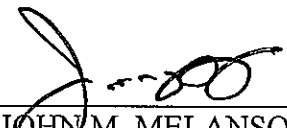
On October 23, 2008, Special Master Brigette Bilyeu issued a *Special Master's Report and Recommendation on Motion to Set Aside Partial Decree*. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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, IT IS ORDERED that the *Motion to Set Aside Partial Decree* be denied. The *Partial Decree Pursuant to I.R.C.P. 54(b)* entered on March 22, 2004, for water right 29-02337 will remain in effect.

IT IS SO ORDERED.

DATED January 7, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO SET ASIDE PARTIAL DECREE was mailed on January 07, 2009, with sufficient first-class postage to the following:

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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".