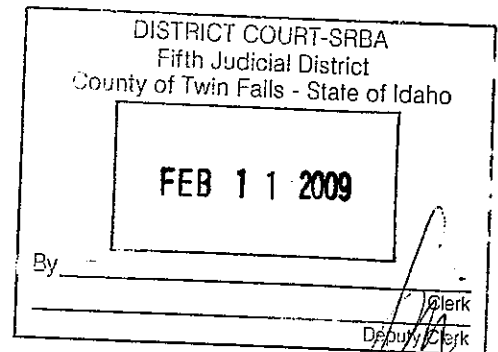


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FEB 12 2009

DEPARTMENT OF
WATER RESOURCES



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 SETTING ASIDE PARTIAL
) DECREES; I.R.C.P. 60(a)
)
)
) For water rights: 75-17C, 75-11614, 75-
) 14063 and 75-14125
)

Partial Decrees were filed for the above-captioned water rights on November 17, 2008. On February 4, 2009, the SRBA Clerk of the Court received a letter from the Idaho Department of Water Resources (IDWR) indicating that the *Partial Decrees* issued for the above-captioned water rights had been issued in error. The letter indicated that these rights are uncontested overlapping rights that are linked to a series of objections to other water rights on Jesse Creek and therefore should have been held back from decree. The claimants for these rights were also notified. The Court finds the *Partial Decrees* issued for 75-17C, 75-11614, 75-14063 and 75-14125 to be the result of a clerical error.

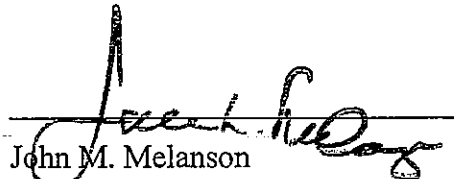
THEREFORE, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the *Partial Decrees* previously issued November 17, 2008, for water rights 75-17C, 75-11614, 75-14063 and 75-14125 are hereby **set aside** and shall not be confirmed in any final unified decree in SRBA Case No. 39576 in whatever form that decree may otherwise take or be styled.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of

the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated: February 11, 2009


John M. Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREES; I.R.C.P. 60(A0) was mailed on February
11, 2009, with sufficient first-class postage to the following:

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

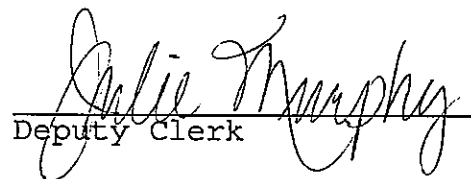
JOHN GOODMAN
SHERRI GOODMAN
100 POLLARD CREEK RD
SALMON, ID 83467
Phone: 208-756-4385

JOYCE ALDOUS
1116 HWY 93 N
SALMON, ID 83467
Phone: 208-756-4368

GARY D POWER
TAMARA POWER
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ELISABETH MORGAN
STANNLEY MORGAN
803 14TH ST
SALMON, ID 83467
Phone: 208-756-3786

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".