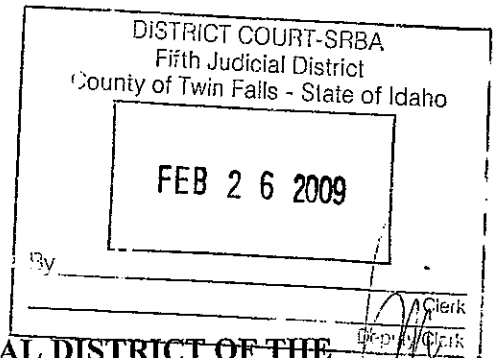


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FEB 27 2009

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

) For water right claim: 35-11343
) (Houghland)
)
) ORDER SETTING ASIDE PARTIAL
) DECREE
)
)
)
)
)
)

A *Partial Decree* was issued for the above-captioned water right claim on November 17, 2000. On August 27, 2008, Claimant John Houghland filed a *Motion to File Late Objection* with an attached *Standard Form 1 Objection* for said water right. This Court considered that motion to be a *Motion to Set Aside Partial Decree*. On September 2, 2008, the matter was referred to a Special Master for proceedings on the *Motion*. On December 9, 2008, Special Master Dolan issued a *Special Master's Report and Recommendation* recommending that the *Partial Decree* be set aside.

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, based on the foregoing, THE FOLLOWING ARE HEREBY ORDERED:

IT IS ORDERED that the *Partial Decree* for water right claim 35-11343 is set aside.

IT IS FURTHER ORDERED that Claimant John Houghland is required to file with IDWR no later than **Friday, March 27, 2009**, evidence of current ownership of the water right (whether in his name and Bonnie Houghland or his name alone).

IT IS FURTHER ORDERED that IDWR is requested to file with this Court no later than **Friday, April 24, 2009**, a proposed partial decree correctly describing the owner(s) and place of use.

Dated February 26, 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 DECREE was mailed on February 26, 2009, with sufficient
first-class postage to the following:

JOHN HOUGHLAND

Represented by:
DWIGHT E. BAKER
266 WEST BRIDGE
BLACKFOOT, ID 83221
Phone: 208-785-2310

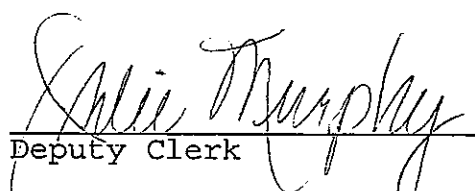
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOHN HOUGHLAND
1842 2 800 S
PINGREE, ID 83262

ORDER

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Deputy Clerk