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DEPARTMENT OF
WATER RESOURCES

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

MAY - 8 2009

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 DECREES
)
) For Water Right: 37-649, 37-650, and 37-
) 651
)
)
)

Partial Decrees were issued for each of the above-captioned water rights on September 29, 2006. On November 14, 2007, *Standard Form 1 Objections* were filed by Lita West for the above-captioned water rights. These *Objections* are being considered by this Court as *Motions to Set Aside Partial Decrees*. This Court referred this matter to Special Master Brigitte Bilyeu for further proceedings. On March 17, 2009, the Special Master issued a *Special Master's Report and Recommendation on Motion to Set Aside Partial Decrees* recommending the *Partial Decrees* for the above-captioned rights not be set aside due the claimant making an oral *Motion to Withdraw the Motion to Set Aside Partial Decree* at a hearing on March 11, 2009.

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 Decrees* for the above-captioned water rights is hereby dismissed with prejudice. The SRBA Clerk of the Court is instructed to close out the register of action for this subcase.

Dated May 8, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTIO TO SET ASIDE PARTIAL DECREES was mailed on May 08, 2009, with sufficient first-class postage to the following:

LITA WEST

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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.