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MAY 29 2009

DEPARTMENT OF
WATER RESOURCES

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

MAY 27 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

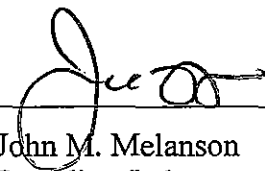
)
) ORDER SETTING ASIDE PARTIAL
) DECREES

)
) For water rights: 37-00028K and 37-
) 00297A
)
)
)
)

Partial Decrees were issued for the above-captioned uncontested water rights on May 20, 2009. It has recently come to the Court's attention that these uncontested rights are related to contested subcases in the SRBA. In general, partial decrees for uncontested rights for Basin 37 Part III have not been issued pending initial hearings. Partial decrees for some uncontested rights were issued where a *Notice of Completed Administrative Proceeding* was filed following an administrative transfer. The intent in doing so being that uncontested overlaps would be identified in conjunction with the administrative proceedings. However, in these subcases, the administrative transfer only involved a substitution of a party.

THEREFORE IT IS ORDERED that the *Partial Decrees* previously issued May 20, 2009 for water rights 37-00028K and 37-00297A are hereby set aside pending resolutions of related subcases. Absent a late objection, these decrees will be issued with the other uncontested rights in Basin 37, Part III.

Dated: May 27, 2009

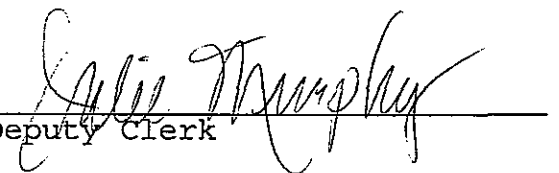

John M. Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREES was mailed on May 27, 2009, with sufficient
first-class postage to the following:

ELIZABETH MATHIEU REVOCABLE
LIVING TRUST
30 PRESCOTT AVE
BRONXVILLE, NY 10708

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

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