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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC - 2 2010	
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	) WATER RIGHT NO: 75-10062B
	)
Case No. 39576	) ORDER SETTING ASIDE PARTIAL
	) DECREE
	)
	) ORDER FOR AMENDED DIRECTOR'S
	) REPORT
	)
	)

On November 17, 2008, a *Partial Decree* was entered for the above-captioned water right in favor of Beaverhead Peaks Ranch, LLC ("Claimant"). On April 5, 2010, Claimant filed a *Motion to File Amended Notice of Claim* to add .16 cfs in accordance with a 1900 *Agreement* and the 1901 *McNutt Decree*. In addition to treating the *Motion* as a request to amend, the *Motion* was treated as a *Motion to Set Aside Partial Decree*. Via an *Order of Reference* dated April 5, 2010, this Court referred the matter to Special Master Terrence A. Dolan to conduct all proceedings necessary to issue a recommendation consistent with *SRBA Administrative Order 1*.

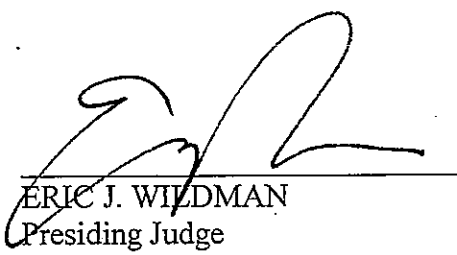
On August 16, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water right claim. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 Recommendation* and wholly adopts them as its own.

THEREFORE, IT IS ORDERED that the *Partial Decree* filed for the above-captioned water right is hereby *set aside*.

IT IS FURTHER ORDERED that the Idaho Department of Water Resources issue an *Amended Director's Report* for the above-captioned water right claim based on the *Special Master's Report and Recommendation* on or before **December 31, 2010**.

Dated September 2, 2010.



ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE PARTIAL DECREE AND ORDER FOR AMENDED DIRECTOR'S REPORT
was mailed on December 02, 2010, with sufficient first-class
postage to the following:

BEAVERHEAD PEAKS RANCH LLC
PO BOX 242
CARMEN, ID 83462
Phone: 208-756-6972

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. The signature is fluid and stylized, with the first and last names being clearly legible despite the cursive style.

