

JUL 23 2004

 DEPARTMENT OF
 WATER RESOURCES
 DISTRICT COURT - SRBA
 TWIN FALLS CO., IDAHO
 FILED _____

2004 JUL 22 AM 11 44

**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	)	ORDER SETTING HEARING AND
	)	REQUEST FOR MORE DEFINITE
Case No. 39576	)	STATEMENT
	)	
_____	)	SUBCASE NOS.: 29-7479 AND 29-7647

Robert M. Wardle and Gene M. Wise filed a letter with this court on June 3, 2004. A follow up letter was sent by Mr. Wardle on July 16, 2004. According to the letter filed on July 16, 2004, Mr. Wardle wishes to make a motion.

It is somewhat unclear what the motion seeks. The June 3, 2004 letter states that "Mssrs. Wise and Wardle's request that he Court allow a late protest on the Dunn Claim 29-4101 A. . . ." (emphasis in original) It is unclear whether Mr. Wardle is asking the SRBA court to allow a late "protest" on the licensing decision made by IDWR, or whether Mr. Wardle is asking for other relief, such as a request to file a late objection. The court notes that motions for late objections must contain a copy of the proposed objection. However, it is possible that Mr. Wardle is referring to the deadline for the claimant to submit a request for a licensing amendment which was required to be filed with the Idaho Department of Water Resources, not the SRBA court.

In addition, it is unclear which subcase numbers Mr. Wise and Mr. Wardle are trying to file this motion. Although the subcase heading for the letters refers to 29-7479 and 29-7647, the contents of the June 3, 2004 letter refer to "29-4101A, " while the contents of the July 16 letter refer to "2941A."

THEREFORE, a hearing will be set to allow Mr. Wise and Mr. Wardle to identify the subcase numbers and to provide a more definite statement or additional information regarding this motion.

Please be advised that Special Master Brigitte Bilyeu has set the following hearing date in the above subcases as follows:

August 25, 2004 9:00 am Hearing and Request For More Definite Statement
Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by phone for the Hearing by dialing 1-225-383-1099 and when prompted enter participant code 926509. If you have any questions concerning telephone participation, please contact Deputy Clerk, Janet Connell at (208) 736-3011.

DATED July 22, 2004.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING HEARING AND REQUEST FOR MORE DEFINITE STATMENT was mailed on July 22, 2004, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
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