

2002 APR 25 PM 3:32

DISTRICT COURT-SRBA
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)
Subcases 43-07178 and 43-10803
(Newcomb)
ORDER GRANTING MOTION
TO FILE LATE OBJECTION

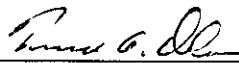
On March 13, 2002, claimants Mark and Lonna Newcomb filed a *Motion to File Late Objection* in both subcases objecting to place of use or acreage. The Newcombs alleged the place of use should include approximately 75 acres of additional farm ground.

A hearing on the *Motion* was held by telephone on April 25, 2002. William T. Goodman appeared for the Newcombs and Candice M. McHugh appeared for IDWR. No one appeared for objector the United States of America, Department of Interior, Bureau of Land Management.

During the hearing, counsel for the Newcombs stated his clients did not "catch" the discrepancy in acreage until after the United States filed its *Objection* to place of use. The Newcombs noticed the recommended quantity or diversion rate was as claimed, but overlooked the place of use.

THEREFORE, IT IS ORDERED that the Newcombs' *Motion to File Late Objection* is **granted**. The parties should expect notice of an initial hearing on their claims sometime in August, 2002, in Burley, Idaho, if they are not able to resolve the *Objections* before then.

DATED April 25, 2002.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTION TO FILE LATE OBJECTION was mailed on April 25, 2002,
with sufficient first-class postage to the following:

MARK T NEWCOMB

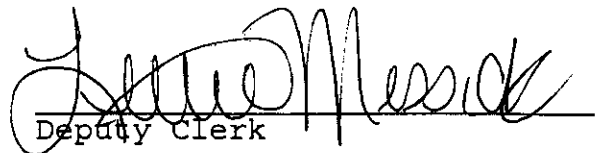
Represented by:
ALAN C. GOODMAN
PO BOX D
RUPERT, ID 83350
Phone: 208-436-4774

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

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

LOMMA NEWCOMB
LONNA NEWCOMB
251 E 200 S
RUPERT, ID 83350
Phone: 208-436-5679

A handwritten signature in black ink, appearing to read "Julie Messick", is written over a horizontal line. The signature is fluid and cursive.