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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

) Subcase: 65-05663B

)

Case No. 39576

) ORDER DENYING EX PARTE MOTION
) FOR ENLARGEMENT OF TIME

)

)

On May 9, 2002, a *Partial Decree* was issued for the above-captioned water right, together with a *Memorandum Decision and Order on Challenge and Order of Partial Decree* ("*Memorandum Decision*"). On June 4, 2002, this Court received correspondence from the objector, Dr. Edward M. Wood, a copy of which is attached hereto, seeking a "waiver of the 14 day period for challenge" of the *Memorandum Decision*. Although not entirely clear, it is assumed that the 14-day period referenced in Dr. Wood's letter is the time period for filing a motion to alter or amend a judgment under Idaho Rule of Civil Procedure 59(e). Therefore, the Court will treat Dr. Wood's letter as an *ex parte* motion for enlargement of time. Dr. Wood's motion was filed after the expiration of the 14-day time period, which ended on May 23, 2002.

Therefore, this Court, in the exercise of its discretion, **denies** Dr. Wood's *ex parte* motion for enlargement of time. Any further relief sought by Dr. Wood can only be obtained by filing a notice of appeal within the time period prescribed in Idaho Appellate Rule 14.

Dated 6-6-02



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

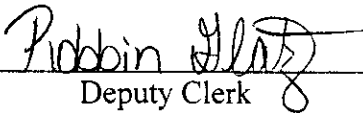
I certify that a true and correct copy of the ORDER DENYING EX PARTE MOTION FOR ENLARGEMENT OF TIME was mailed on June 6, 2002, with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Edward M. Wood, MD
9908 Spoor Road
Cascade, ID 83611

Matt Howard
PO Box 190012
Boise, ID 83719

Charles Honsinger
PO Box 2773
Boise, ID 83701-2773


Deputy Clerk

Edward M. Wood, M.D.
9908 SPOOR ROAD
CASCADE, IDAHO 83611, USA
PHONE (208) 382-6624
FAX (208) 382-3129

2002 JUN -4 AM 9:31
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

May 30, 2002

Roger S. Burdick
Presiding Judge of the Snake River
Basin Adjudication
253 Third Ave., North
P.O. Box 2707
Twin Falls, ID 83303-2707

Judge Burdick:

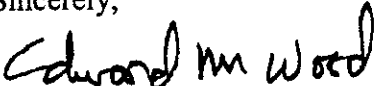
This is a request for a waiver of the 14 day period for challenge of your MEMORANDUM DECISION AND ORDER OF CHALLENGE re Subcase 65-05663B dated May 9, 2002.

My apologies for the request. Your decision was not mailed until May 13 and did not reach me by fax from attorney Matt Howard until May 15. I did not have the opportunity to meet with Howard until May 29 at which time I learned of the 14 day time limit for challenge.

My reasons for challenge are to ensure that the Court is fully aware of the events involved with this case over the 10 year period from 1986 to 1996. The issue of tolling will not be challenged. After studying your Decision in detail, I believe it essential to clarify a number of misrepresentations that I believe deserve your attention and will change your decision on forfeiture. If you will extend the time period for one week to June 7, I will make a formal challenge, list the issues to be discussed and notify all the required participants.

Please have your clerk notify me of your decision by fax so I can complete a Statement Of Issues and notify all participants by June 7. Please also note that my relationship with Matt Howard has been terminated and I will present the challenge as a *pro se*.

Sincerely,


Edward M. Wood