

3/23

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|--------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho                                  |                                |
| <div style="border: 1px solid black; width: 150px; margin: 0 auto; padding: 10px;">           MAR 22 2006         </div> |                                |
| By _____                                                                                                                 | Clerk<br>_____<br>Deputy Clerk |

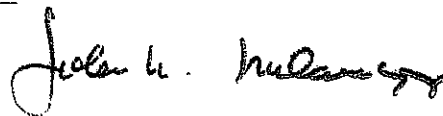
**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

|                                                             |                                 |                                                                                                           |
|-------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>In Re SRBA</b><br><br><b>Case No. 39576</b><br><br>_____ | )<br>)<br>)<br>)<br>)<br>)<br>) | <b>Subcase No.: 84-12199</b><br><br><b>ORDER DISMISSING MOTION TO</b><br><b>FILE LATE NOTICE OF CLAIM</b> |
|-------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------|

On November 18, 2005, John Moore, as trustee for Trinity Trust, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing on said *Motion* was scheduled for February 21, 2006, at 1:30 p.m., and a *Notice of Hearing* was sent to the claimant. Claimant failed to appear at said hearing either in person or by telephone. On February 22, 2006, a hearing was reset for March 21, 2006, at 1:30 p.m., through a *Notice Resetting Hearing on Motion to File Late Notice of Claim*. Said *Notice* provided that failure to appear may result in dismissal of the claim. Claimant failed to appear at the second scheduled hearing, either in person or by telephone.

THEREFORE IT IS ORDERED, that the *Motion to File Late Notice of Claim* for the above-captioned water is **dismissed**.

Dated March 21, 2006.



\_\_\_\_\_  
 JOHN M. MELANSON  
 Presiding Judge  
 Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on March 23, 2006, with sufficient first-class postage to the following:

TRINITY TRUST  
JOHN MOORE TRUSTEE  
PO BOX 17  
KOOSKIA, ID 83539  
Phone: 208-935-7872

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

To whom it may concern

I am a Qwest Phone Technician and had to repair Michelle Moore's phone line. We had a cable fault in the main line which caused difficulties in her phone service. The cable pair for Michelle's line was a circuit loss of -61.0 & anything above -8.6 is a failed line. It is fixed now.

Serviced today,  
Michelle Moore  
electronic invoices  
Couldn't get a copy today.

Thank you  
Michaela Koller 3-28-06  
@ QWEST.

FAX(208) 935-2121

①

MICHELLE AND JOHN MOORE  
PO Box 17  
Kooskia, Id. 83539  
(208) 935-7872

MARCH 23, 2006

DEAR JUDGE JOHN MELANSON,

THIS IS REGARDING SUBCASES: 84-12201 and 84-12199,

I AM ASKING YOU AND/OR THE COURT TO PLEASE RECONSIDER  
THE DISMISSAL OF THESE CASES.

ON 3/21/06, I CALLED (918) 583-3445, AS DIRECTED ON  
THE NOTICE RESETTING HEARING ON MOTION TO FILE LATE NOTICE OF  
CLAIM, DATED FEB. 22, 06 - AT 12:30 PM - MY TIME - PACIFIC TIME.  
THIS AREA IS ONE HOUR BEHIND YOUR TIME - AND I ENTERED ACCESS  
CODE 406128, AS DIRECTED.

I GOT IN TO RECEIVE A MESSAGE THAT SAID - YOUR CONFERENCE  
CALL WILL BEGIN MOMENTARILY - YOU'RE BEING PLACED ON HOLD, UNTIL  
YOUR CONFERENCE BEGINS, PLEASE CONTINUE TO HOLD. I HELD FOR  
10 MINS, PUT THE PHONE ON SPEAKER PHONE - HELD FOR ANOTHER TEN  
MINS, ONLY TO HEAR OCCASSIONAL MSG. BUT NEVER A HUMAN.  
THESE CONFERENCE CALLS GET COSTLY. ONE WAS APPROX. 2 HRS. I  
FIGURED 20 MINS - WAS JUST NOT RIGHT WITHOUT GETTING IN ON  
THE CONF CALL.

I CALLED FOUR FOLKS FOR A DIFFERENT NUMBER FOR THE COURTS.  
MARK JACKSON: WAS NOT IN. OTHERS, NO HELP. ONE NEIGHBOR GAVE  
ME (208) 736-3011 COURT CLERK AND I GOT IN TO DIANA AT APPROX.  
4:50 OUR TIME - BEFORE THE COURT CLOSED. I CONTAINED MY STRESS  
AND FRUSTRATION AND EXPLAINED THE SITUATION TO DIANA AND SHE  
TOLD ME SHE WOULD EXPLAIN THIS ORDEAL TO THE JUDGE AND CALL  
ME BACK. I CALLED HER 3/22/06 AND SHE HADN'T GOT TO SPEAK TO  
YOU YET. ON 3/28/06, I CALLED HER AGAIN - ONLY TO  
FIND OUT YOU DISMISSED THE CASES. I AM SO FRUSTRATED, YOUR HONOR.  
THERE WERE NO OTHER OPTIONS FOR ME, AT THE TIME. NO OTHER NUMBERS  
ON THE NOTICE. I COMPLIED AS INSTRUCTED. I DID THE BEST I COULD  
WITH WHAT I HAD AND DIDN'T KNOW HOW ELSE TO HANDLE THE PROBLEM  
OR WHO TO CONTACT. I REPORTED THE PROBLEM AS PROMPTLY AS I COULD.  
WILL YOU PLEASE RECONSIDER YOUR DISMISSAL DECISION. I KNOW  
THIS TAKES MUCH TIME AND IS A GREAT INCONVENIENCE TO YOU AND  
I THANK YOU FOR YOUR TIME JUDGE MELANSON.

SINCERELY,  
MICHELLE MOORE

(2)

## A Second Note

MICHELLE AND JOHN MOORE  
PO Box 17, Kooskia, ID 83539  
Subcases: 84-12201 and 84-12199

MARCH 23, 06

DEAR JUDGE MELANSON,

THIS IS JUST A THOUGHT. I CAN'T SAY THAT THIS, FOR SURE, HAD ANYTHING TO DO WITH MY ORDEAL- BECAUSE I DID GET THROUGH TO THE COURT.

FOR SEVERAL WEEKS QUEST HAS BEEN LAYING UNBURIED PHONE LINE IN DITCHES FOR 1/2 MILE- FROM ONE TO ANOTHER PHONE BOXES, THE ONE CLOSEST TO US HAD BEEN CRASHED INTO BY A CAR. ALL THE FOLKS AROUND HERE HAVE BEEN REPORTING HEARING OTHER PEOPLES CONVERSATIONS, NOT GETTING OUT AFTER DIAL TONE AND CALLS SEVERAL TIMES A DAY WITH NO ONE ON THE OTHER END.

PASTOR PHIL (208)935-2244 CAN ALSO VERIFY THIS BECAUSE I CALLED HIM THURSDAY OR FRI OF LAST WEEK - TO ASK IF HE WAS HAVING TROUBLES. I CALLED ALL THE NEIGHBORS AND THEY TOLD ME THE SAME THING AND TO REPORT IT - WHICH I DID. TO THIS DAY THE CABLES STILL RUN ABOVE GROUND IN A ROCKY DITCH AWAITING NEW BOXES FOR THIS WHOLE IMMEDIATE AREA. I WILL GO PHOTO IT TODAY - JUST FOR THE HEC OF IT.

Just a Thought  
Michelle Moore