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DEPARTMENT OF
WATER RESOURCES

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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 45-167A
	) (Rose)
	)
	) ORDER GRANTING MOTION
Case No. 39576	) FOR EXTENSION OF TIME
_____	) AND SETTING DEADLINE

On June 8, 2006, claimant Leah Rose filed a *Motion for Extension of Time* asking for an additional week to complete her response brief plus similar extensions to the related deadlines agreed upon by the parties. The same date, objector William A. Poulton filed his *Objection to Motion for Extension of Time* stating: 1) Ms. Rose is held to the same standards and rules as an attorney; 2) she is using her excuse that she is not an attorney to seek advantage over the objector who has retained counsel; and 3) Ms. Rose does not need to interview affiants as she is simply responding to a motion to strike.

On June 12, 2006, Ms. Rose lodged her *Claimant's Opposition to Objector's Motion to Strike Affidavits; Supplemental Memorandum in Opposition to the Motion for Summary Judgment; and Motion to Strike Affidavit of William Poulton*. On June 16, 2006, Mr. Poulton lodged his *Response Brief to Claimant's Opposition to Objector's Motion to Strike Affidavits*. Finally, Ms. Rose lodged her *Reply Brief to Response Brief of Objector*.

From the record and filings to date, it is evident that the scope and purpose of extensions granted by the Special Master for the parties to supplement the record have become clouded. The sole purpose of the extensions granted during the hearing on June 1, 2006, was for the parties to fill in gaps in the record, not to engage in consecutive briefing over procedural matters.

With that in mind, and to clear the decks so that the Special Master can arrive at a well reasoned decision based on the best evidence reasonably available, a certain date must be set for both parties to submit their final documentation, however denominated.

THEREFORE, IT IS ORDERED that Ms. Rose's *Motion for Extension of Time* is **granted**, but her *Motion to Strike Affidavit of William Poulton* is **denied** because it is untimely. Both parties shall file with the SRBA Court all remaining relevant documentation, including affidavits, no later than **Friday, July 21, 2006**. Following that date, the Special Master shall consider the matter fully submitted for decision on Mr. Poulton's *Motion for Summary Judgment* and *Motion to Strike Affidavits in Reply to Motion for Summary Judgment*.

DATED June 27, 2006.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

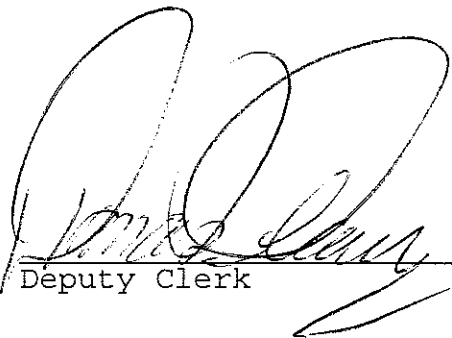
I certify that a true and correct copy of the ORDER GRANTING MOTION FOR EXTENSION OF TIME AND SETTING DEADLINE was mailed on June 27, 2006, with sufficient first-class postage to the following:

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A large, stylized handwritten signature in black ink, likely belonging to Roger D. Ling, is written over a horizontal line. The signature is fluid and cursive, with the first name 'Roger' being particularly prominent.