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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	)	Subcases 45-2583, 45-2689, 45-7020,
	)	45-7035, 45-7110, 45-7238 and 45-7374
	)	(Cummins Farms, Inc.)
	)	
Case No. 39576	)	ORDER GRANTING MOTION TO
	)	VACATE TRIAL AND SETTING STATUS
	)	CONFERENCE

On July 27, 2006, counsel for claimant / objector Cummins Farms, Inc., filed a *Motion to Vacate Trial*, along with an *Affidavit of Kevin J. Beaton in Support of Motion to Vacate Trial*. Counsel sought to vacate the trial set to begin August 4, 2006, because on July 17, 2006, foreclosure proceedings were filed in Twin Falls County District Court, Civil No. 06 3354, creating "uncertainty regarding the legal status of the property to which the water rights in this case are appurtenant and the status of the parties in this action, as there may be a new owner or party of interest in this proceeding." Counsel also requested a status conference in September, 2006. IDWR agreed with the *Motion* and there are no other parties.

THEREFORE, IT IS ORDERED that:

1. The trial set for August 4, 2006, is **vacated**, and
2. A status conference shall be held on **Thursday, September 28, 2006, 9 a.m.**

DATED July 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 TO VACATE TRIAL AND SETTING STATUS CONFERENCE was mailed on July 27, 2006, with sufficient first-class postage to the following:

CUMMINS FARMS INC

Represented by:

KEVIN J. BEATON

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