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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 74-15627             |
|                | ) | (Cadman)                     |
| Case No. 39576 | ) |                              |
|                | ) | ORDER GRANTING MOTION        |
|                | ) | TO FILE LATE OBJECTION       |
|                | ) | and ORDER SETTING SCHEDULING |
|                | ) | CONFERENCE AND HEARING       |

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The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claim 74-15627 to Shirley F. Cadman, P.O. Box 20, Tendoy, Idaho, 83468-0020, for .42 cfs from Pattee Creek to irrigate 20.8 acres from March 15 to November 15 with a priority date of May 19, 1926, based on a decree.

Mark A. Hurley filed a motion to file a late objection on May 7, 2007, alleging the water right should not exist:

This water was conveyed to me in a 1994 land transaction. The water right does not exist.

In his motion, Mr. Hurley wrote that on October 25, 2005, he gave former-IDWR agent Roxanne Brown documentation supporting his allegation that Ms. Cadman's claim was erroneously recommended. He never heard back from Ms. Brown and for that reason, his objection should not be considered late. Tracy Krekler filed a similar motion to file a late objection on May 9, 2007, as did Share and Alesha Bailey on June 21, 2007.

A hearing on the three motions was held on June 28, 2007. Milton A. Slavin appeared by telephone for Ms. Cadman; Mr. Hurley appeared in court *pro se*; and Garrick Baxter appeared by telephone for IDWR, along with Andrea Courtney. Tracy Krekler and the Baileys did not appear.

In light of the relatively early proceedings in this matter, Mr. Hurley has shown good cause to file a late objection.

THEREFORE IT IS ORDERED that:

1. Mr. Hurley's motion to file a late objection in subcase 74-15627 is **granted**, and
2. A scheduling conference concerning Mr. Hurley's objection and a hearing on Tracy Krekler's and the Baileys' motions to file late objections shall be held by telephone on **Thursday, July 26, 2007, 2:00 p.m.** at the SRBA District Court, 253 3<sup>rd</sup> Ave. North, Twin Falls, Idaho.

Parties may participate by telephone by dialing 1-225-383-1099 and entering participant code 654400.

DATED July 5, 2007.



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 AND ORDER SETTING SCHEDULING CONFERENCE AND HEARING was mailed on July 05, 2007, with sufficient first-class postage to the following:

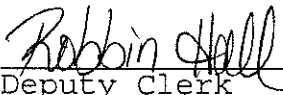
SHANE & ALESHA BAILEY  
PO BOX 108  
TENDON, ID 83468  
Phone: 208-940-0000

SHIRLEY F CADMAN  
PO BOX 20  
TENDON, ID 83468-0020  
Phone: 208-756-4691

TRACY KREKELER  
PO BOX 63  
TENDON, ID 83468  
Phone: 208-756-1041

MARK A HURLEY  
PO BOX 70  
TENDON, ID 83468  
Phone: 208-303-0085

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

  
Deputy Clerk