

2007 AUG -8 PM 12:18
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 45-569, 45-574, 45-575,
	)	45-576, 45-618 and 45-2658
Case No. 39576	)	(Martin)
	)	
	)	ORDER CONTINUING / VACATING
	)	HEARINGS AND SETTING
	)	SCHEDULING CONFERENCE

A hearing on Susan P. Bedke's *Motion to Participate* was held by telephone on August 2, 2007. Travis L. Thompson appeared for claimants Anne and Harold Martin; Donald J. Chisholm appeared for Leroy Fairchild¹; Michael P. Tribe appeared for Ms. Bedke; and Nicholas B. Spencer appeared for IDWR.

However, the day before the hearing, the parties filed a *Stipulation for Continuance* agreeing to continue hearings on Ms. Bedke's *Motion to Participate* and Mr. Fairchild's motion to set aside the *Partial Decrees*. The reason given was to allow Mr. Fairchild "to move for summary judgment in Cassia County Case No. CV-2007-470 to clarify the issue of who will be the real party in interest on the claims originally asserted by Leroy Fairchild against [the Martins] in the above entitled action."

THEREFORE, IT IS ORDERED that:

1. The hearing on Ms. Bedke's *Motion to Participate* is **continued**;
 2. The hearing on Mr. Fairchild's motion to set aside the *Partial Decrees* is **vacated**;
- and

¹ Mr. Fairchild wrote a letter to the SRBA Court on November 29, 2006, requesting that *Partial Decrees* entered in subcases 45-574, 45-575, 45-576, 45-618 and 45-2658 in the names of the Martins be set aside. A hearing on that motion was set for August 23, 2007. During a January 25, 2007 status conference, the *Partial Decree* entered in subcase 45-569 in the names of the Martins was added to the above matter with the general consent of the parties.

3. A scheduling conference on all pending matters will be held by telephone on
Thursday, February 7, 2008, 9:30 a.m.

DATED August 8, 2007.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a horizontal line underneath the name.

TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONTINUING/
HEARINGS AND SETTING SCHEDULING CONFERENCE was mailed on August
08, 2007, with sufficient first-class postage to the following:

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