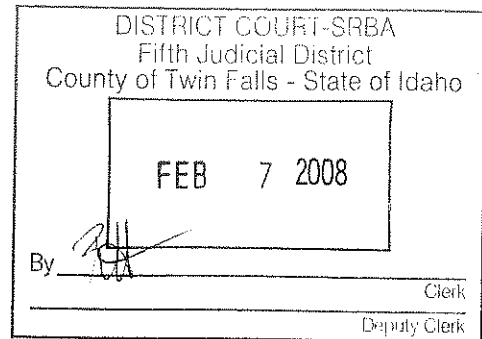




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase 73-4040
Case No. 39576) (Noonan)
)
) ORDER GRANTING MOTION
) TO FILE LATE OBJECTION AND
) SETTING STATUS / SCHEDULING
) CONFERENCE

Claimants Betty and Michael Noonan lodged a late *Objection* on December 24, 2007, objecting to priority date: "Our original priority date was 1870 as per attached 'Notice of Claim to a Water Right.' It seems like all of the water rights holders on this ditch should have the same date." The *Objection* was deemed to be a motion to file late objection, having been filed five days after the objection deadline of December 19, 2007.

A hearing on the motion was held by telephone on January 31, 2008. Only Garrick L. Baxter appeared for IDWR. Mr. Baxter agreed that because of the minimal delay in filing, the motion was warranted and did not oppose its approval. Mr. Baxter also agreed that a status / scheduling conference is warranted even though initial hearings have yet to be scheduled in Basin 73.

THEREFORE, IT IS ORDERED that:

1. The Noonans' motion to file late objection is **granted**, and
2. A status / scheduling conference shall be held by telephone on **Thursday, March 20, 2008, 2:00 p.m.** The Noonans and IDWR may participate by telephone by calling 1-225-383-1099 and entering participate code 654400.

DATED February 6, 2008


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

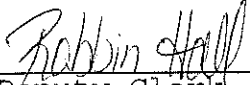
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION AND SETTING STATUS/SCHEDULING CONFERENCE was mailed on February 07, 2008, with sufficient first-class postage to the following:

BETTY NOONAN
MICHAEL NOONAN
7 BURSTEDT LANE
ELLIS, ID 83235
Phone: 208-876-4073

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

BETTY J NOONAN
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Deputy Clerk