

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED _____

2008 FEB 20 AM 11 42

**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 02-200, 02-201, 02-223 and 02-224
	) (State of Idaho)
Case No. 39576	)
	) ORDER GRANTING IDAHO POWER'S
	) MOTION TO FILE LATE OBJECTIONS
	) and ORDER GRANTING IGWA'S
	) MOTION TO WITHDRAW AS PARTY
	) TO SUBCASES

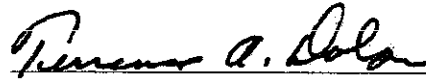
On January 31, 2008, Idaho Power Company filed a *Motion to File Late Objections* in the above four subcases and lodged *Objections* alleging the water rights should not exist. It alleged that it "only recently became aware of the issues presented by the Director's recommendation . . . subsequent to Idaho Power's filing of a timely objection to General Provision 4 of the Director's Report for Basin 2 . . . which involves the same or similar issues." Idaho Power added that no party would be prejudiced by the late objections since there have been no substantive proceedings in the subcases and the response period had yet to close.

A hearing on the *Motion* was held by telephone on February 14, 2008. Michael C. Orr appeared for the State; Michael A. Gheleta appeared for Idaho Power; Josephine P. Beeman appeared for the City of Pocatello; Candice M. McHugh appeared for the Idaho Ground Water Users Association and various claimants; and Chris M. Bromley appeared for IDWR. The State did not oppose the *Motion* nor did IGWA and the various parties associated with it. The City of Pocatello had no comment except to urge that no further responses to the *Motion* be required. On another matter, IGWA verbally requested that it be withdrawn as a party to these four subcases.

THEREFORE, IT IS ORDERED that:

1. Idaho Power's *Motion to File Late Objections* is **granted**. Parties need not file responses to Idaho Power's *Objections*.
2. IGWA's motion to withdraw as a party to the above four subcases is **granted**.

DATED February 20, 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 IDAHO POWER'S MOTION TO FILE LATE OBJECTIONS AND ORDER GRANTING IGWA'S MOTION TO WITHDRAW was mailed on February 20, 2008, with sufficient first-class postage to the following:

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