

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

55(c). The "good cause" standard under Rule 55(c) is more lenient than the standard under Rule 60(b). The I.R.C.P. 55(c) standard takes into account the following factors:

- 1) whether the default was willful;
- 2) whether setting aside the judgment would prejudice the opponent; and
- 3) whether a meritorious position has been presented.

Order on Motion to Set Aside Partial Decrees and File Late Objections (A.L. Cattle) (Jan. 31, 2001).

In support of the *Motion*, Baerbel Lucchitta explained that the lateness of the *Objection* was not willful. In fact, claimants believed they had filed an objection when they filed the notice of error. A meritorious position was alleged by claimant based on the claimed acreage and claimed points of diversion. No parties to the SRBA opposed the *Motion*, and there is no showing prejudice would result from allowing the late objection.

III. FINDINGS

There was no opposition to the *Motion*. Therefore, the *Motion to File Late Objection* is **granted**. The *Objection* will be filed with the court dated May 7, 2008.

IT IS ORDERED that the following deadline shall govern further proceedings in 22-418A:

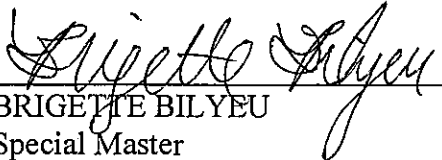
June 26, 2008 5:00 pm Deadline to file Response to Objection

Please be advised that Special Master Brigitte Bilyeu has set the following dates for water rights 22-418A and 22-12982:

July 9, 2008 1:30 pm Status Conference
Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by phone for the Status Conference by dialing 1-225-383-1099 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

Dated: May 13, 2008.


BRIGETTE BILYEU
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, SETTING DEADLINE AND STATUS CONFERENCE was mailed on May 13, 2008, with sufficient first-class postage to the following:

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

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