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DEPARTMENT OF
WATER RESOURCES

2008 JUN 19 AM 11: 24

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 74-337, 74-340A, 74-340B, 74-
Case No. 39576) 1829, 74-2308 and 74-15656
) (Whittaker)
)
_____) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-337, 74-340A, 74-340B, 74-1829 and 74-2308 to F. James Whittaker, P.O. Box 240, Leadore, Idaho, 83464, for between .8 cfs and 3.3 cfs from Big Eightmile Creek to irrigate between 118 acres and 371.3 acres in Lemhi County from March 15 to November 15 with priority dates between October 3, 1887, and November 10, 1952, based on a decree. The Director recommended claim 74-15663 be disallowed: "No lawful appropriation shown."

Mr. Whittaker filed *Objections* in subcases 74-337, 74-340A, 74-340B, 74-1829 and 74-2308 on May 4, 2006, objecting to points of diversion and place of use. He also filed an *Objection* in subcase 74-15656 the same date objecting to the claim being recommended disallowed.

The United States of America, Department of Interior, Bureau of Land Management filed *Responses* in subcases 74-340A, 74-340B, 74-1829, 74-2308 and 74-15656 on September 1, 2006, on the issue of place of use.

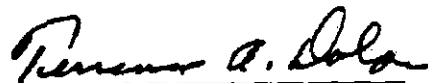
On May 15, 2008, F. James and Paula Whittaker, with IDWR's concurrence, filed a *Standard Form 5* in subcase 74-337 agreeing to amend the name and address, add a remark under quantity, amend the place of use and add the remark: "Place of use does

not include federal public lands.” The same date, the Whittakers and the United States, with IDWR’s concurrence, filed *SF-5*’s in subcases 74-340A, 74-340B, 74-1829, 74-2308 and 74-15656 agreeing to the same changes.

Conclusions of Law

The Whittakers are entitled to partial decrees adjudicating water rights for subcases 74-337, 74-340A, 74-340B, 74-1829, 74-2308 and 74-15656 as described in the *SF-5*’s and the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-337, 74-340A, 74-340B, 74-1829, 74-2308 and 74-15656*.

DATED June 19, 2008



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 74-00337

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 3.30 CFS

The rights listed below are limited to a total combined
diversion rate of 10.22 cfs.
Combined Right Nos. 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.
Right Nos. 74-337, 74-2308 and 74-15655 are limited to a total
combined diversion rate of 4.7 cfs.

PRIORITY DATE: 10/03/1887

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
S08 NENW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 3.30 CFS

PLACE OF USE: Irrigation Within Lemhi County
T16N R25E S26 SESW 40.0
S34 NENE 40.0 NWNE 40.0
SWNE 31.0 SENE 40.0
NESE 40.0 NWSE 40.0
SWSE 35.0 SESE 37.0
S35 NWNE 38.0 SWNE 38.0
NENW 40.0 NWNW 38.0
SNNW 40.0 SENW 36.0
NESW 40.0 NWSW 40.0
SWSW 37.0 SESW 5.3
NWSE 21.0
716.3 Acres Total

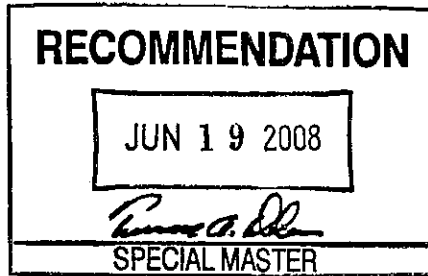
This right is limited to the irrigation of 146 acres within the
place of use described above in a single irrigation season.
Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 716.3 acres in a single irrigation season.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 74-00340A

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.80 CFS

The rights listed below are limited to a total combined
diversion rate of 10.22 cfs.
Combined Right Nos. 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

PRIORITY DATE: 10/03/1887

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
S08 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.80 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S26	SESW 40.0
	S34	NENE 40.0
		SWNE 31.0
		NESE 40.0
		SWSE 35.0
	S35	NWNE 38.0
		NENW 40.0
		SWNW 40.0
		NESW 40.0
		SWSW 37.0
		NWSE 21.0
	716.3 Acres Total	

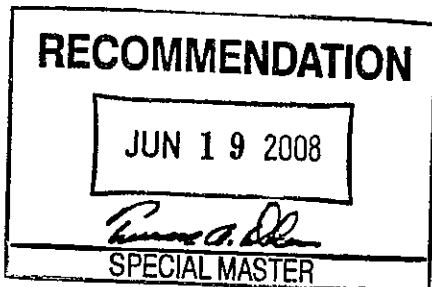
This right is limited to the irrigation of 150.8 acres within the
place of use described above in a single irrigation season.
Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 716.3 acres in a single irrigation season.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00340B

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 2.50 CFS

The rights listed below are limited to a total combined
diversion rate of 10.22 cfs.
Combined Right Nos. 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

PRIORITY DATE: 10/03/1887

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
S08 SENE
T16N R25E S28 SWSE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 2.50 CFS

Water may not be diverted from the point of diversion in the
SWSE, S28, T16N, R25E after May 15 of each year.

PLACE OF USE: Irrigation Within Lemhi County

T16N R25E S26	SESW 40.0	
S34	NENE 40.0	NWNE 40.0
	SWNE 31.0	SENE 40.0
	NESE 40.0	NWSE 40.0
	SWSE 35.0	SESE 37.0
S35	NWNE 38.0	SWNE 38.0
	NENW 40.0	NWNW 38.0
	SWNW 40.0	SENW 36.0
	NESW 40.0	NWSW 40.0
	SWSW 37.0	SESW 5.3
	NWSE 21.0	
716.3 Acres Total		

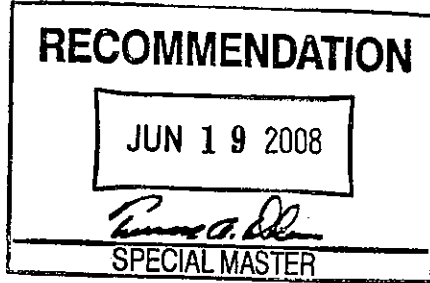
This right is limited to the irrigation of 117.6 acres within the
place of use described above in a single irrigation season.
Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 716.3 acres in a single irrigation season.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____) Water Right 74-01829

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

NAME AND ADDRESS: F JAMES WHITTAKER
 PAULA J WHITTAKER
 83 BIG EIGHT MILE RD
 PO BOX 240
 LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 2.22 CFS

The rights listed below are limited to a total combined
diversion rate of 10.22 cfs.
Combined Right Nos. 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

PRIORITY DATE: 07/02/1928

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
 S08 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.22 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T16N R25E S26	SESW 40.0	
	S34	NENE 40.0	NWNE 40.0
		SWNE 31.0	SENE 40.0
		NESE 40.0	NWSE 40.0
		SWSE 35.0	SESE 37.0
	S35	NWNE 38.0	SWNE 38.0
		NENW 40.0	NWNW 38.0
		SWNW 40.0	SENE 36.0
		NESW 40.0	NWSW 40.0
		SWSW 37.0	SESW 5.3
		NWSE 21.0	
	716.3 Acres Total		

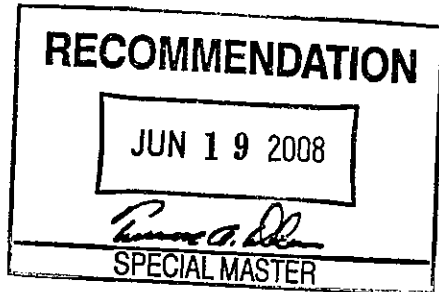
This right is limited to the irrigation of 150.8 acres within the
place of use described above in a single irrigation season.
Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 716.3 acres in a single irrigation season.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 74-02308

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.40 CFS

The rights listed below are limited to a total combined
diversion rate of 10.22 cfs.
Combined Right Nos. 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.
Right Nos. 74-337, 74-2308, and 74-15655 are limited to a total
combined diversion rate of 4.7 cfs.

PRIORITY DATE: 11/10/1952

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
S08 NENW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 1.40 CFS

PLACE OF USE: Irrigation Within Lemhi County
T16N R25E S26 SESW 40.0
S34 NENE 40.0 NWNE 40.0
SWNE 31.0 SENE 40.0
NESE 40.0 NWSE 40.0
SWSE 35.0 SESE 37.0
S35 NWNE 38.0 SWNE 38.0
NENW 40.0 NWNW 38.0
SWNW 40.0 SENW 36.0
NESW 40.0 NWSW 40.0
SWSW 37.0 SESW 5.3
NWSE 21.0
716.3 Acres Total

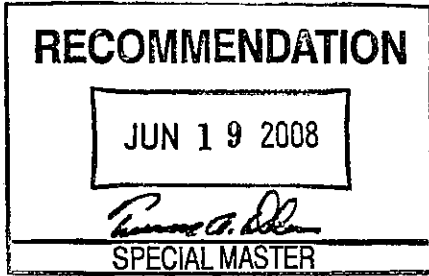
This right is limited to the irrigation of 71.6 acres within the
place of use described above in a single irrigation season.
Place of use does not include federal public lands.
The rights listed below are limited to the irrigation of a
combined total of 716.3 acres in a single irrigation season.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-15656

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.02 CFS

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 10.22 CFS.
COMBINED RIGHT NOS.: 74-337, 74-340A, 74-340B, 74-1829,
74-2308, 74-15655, AND 74-15656.

PRIORITY DATE: 03/15/1983

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T15N R25E S05 SENE Within Lemhi County
S08 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.02 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S26	SESW 40.0
	S34	NENE 40.0 NWNE 40.0 SWNE 31.0 SENE 40.0 NESE 40.0 NWSE 40.0 SWSE 35.0 SESE 37.0
	S35	NWNE 38.0 SWNE 38.0 NENW 40.0 NWNW 38.0 SNNW 40.0 SENW 36.0 NESW 40.0 NWSW 40.0 SWSW 37.0 SESW 5.3 NWSE 21.0
	716.3 Acres Total	

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 716.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, AND 74-15656.

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 74-2308,
74-337, 74-340A, 74-340B, AND 74-1829 PURSUANT TO SECTION
42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

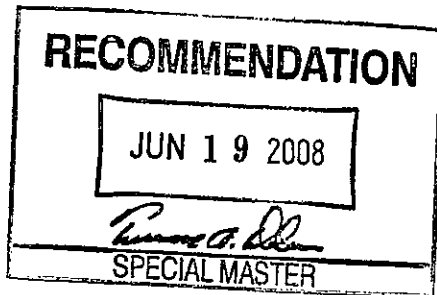
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2008 JUN 19 AM 11:24

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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 74-00337

74-00340A 74-00340B 74-01829

74-02308 74-15656

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 19, 2008, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

F JAMES WHITTAKER
PO BOX 240
LEADORE, ID 83464

CERTIFICATE OF MAILING

PAGE 1
06/19/08

F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464



ROBBIN HALL
Deputy Clerk

2008 JUN 19 AM 11:24

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

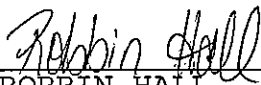
Water Right(s): 74-00337
74-00340A 74-00340B 74-01829
74-02308 74-15656

On June 19, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED June 19, 2008.



ROBBIN HALL
Deputy Clerk