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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL - 2 2008

By _____

Clerk
Deputy Clerk

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 63-07539

Case No. 39576

)
) ORDER VACATING TRIAL AND
) SETTING DEADLINE FOR FILING OF
) DISPOSITIVE MOTIONS
)

On July 1, 2008, a pretrial conference was held pursuant to I.R.C.P. 16(c), at which the participants discussed the factual issues, if any, to be resolved at trial. Based upon the comments of the participants at the pretrial conference, and upon the stipulation of facts made by the parties on the record at the pretrial conference, it appears that the issues involved in this subcase are legal issues that may be might well be decided on summary judgment, as opposed to factual issues to be decided at trial. Accordingly, for the purpose of avoiding a potentially unnecessary trial, and to provide the parties with an opportunity to file motions for summary judgment, the previously scheduled trial is **vacated**.

The deadline for filing motions for summary is July 31, 2008. The filing and service of the motion, affidavits, and briefing shall be conducted in compliance with I.R.C.P. 56(c). In connection with the filing of a motion for summary judgment, the movant should contact the Clerk of the Court to obtain a hearing date, time, and location.

Dated

July 2, 2008



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING TRIAL AND SETTING DEADLINE FOR FILING OF DISPOSITIVE MOTIONS was mailed on July 02, 2008, with sufficient first-class postage to the following:

SARA JANE SMITH
SARAH JANE SMITH
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

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

CRAIG WHITTED
7144 WARREN SPUR RD
MELBA, ID 83641-5228
Phone: 208-867-1485

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.