

RECEIVED

JUL 17 2008

DEPARTMENT OF
WATER RESOURCES

Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 16 2008	
By _____	Clark
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 78-07243A

)

Case No. 39576

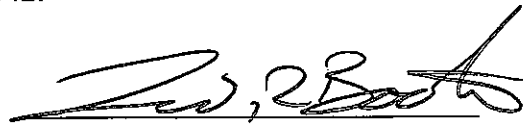
) ORDER VACATING TRIAL AND
) SETTING STATUS CONFERENCE

Pursuant to a previously issued *Trial Scheduling Order*, the trial in this subcase was scheduled to begin on August 28, 2008. For the reason explained below, the trial in this matter is hereby **vacated**.

On May 7, 2007, an objection was filed by Douglas H. Boggan, asserting that the water right should not exist. On May 29, 2008, an *Amended Director's Report* was filed by IDWR. Pursuant to the *Order Requesting Amended Director's Report and Order Setting Objection Deadline*, any party to the subcase who disagreed with the *Amended Director's Report* was required to file new a objection thereto. Mr. Boggan did not file an objection to the *Amended Director's Report*, and therefore it is apparent that the issues raised in Mr. Boggan's objection have been satisfactorily resolved. However, the claimants of the water right, Cheryl Montalbo and Angel Montalbo, filed an objection to the *Amended Director's Report*, asserting that the legal description of the place of use has been incorrectly recommended.

Accordingly, for the purpose of discussing how to proceed with the objection filed by the Montalbos, a status conference will be held on **August 5, 2008, at 9:30 AM Mountain Time**, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.

Dated July 16, 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 STATUS CONFERENCE was mailed on July 16, 2008, with sufficient first-class postage to the following:

ANGEL M MONTALBO
CHERYL A MONTALBO
2323 SOUTH PACIFIC ST
BOISE, ID 83705

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

ANGEL M MONTALBO
2323 S PACIFIC ST
BOISE, ID 83705
Phone: 208-409-6064

CHERYL A MONTALBO
7095 HWY 95 S
RIGGINS, ID 83549

DOUGLAS H BOGGAN
7261 HWY 95 S
RIGGINS, ID 83549
Phone: 208-628-3567