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DEPARTMENT OF
WATER RESOURCES

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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 01-23B, 01-297, 35-2543 and 35-
Case No. 39576) 4246
) (Aberdeen-Springfield Canal Co.)
)
) ORDER DENYING MOTION TO
) STRIKE OBJECTIONS and
) ORDER GRANTING MOTION TO
) FILE LATE RESPONSE

Claimant Aberdeen-Springfield Canal Company filed a *Motion to Strike Objections* in the above subcases on June 26, 2008, because *Objections* filed by the "Surface Water Coalition"¹ were alleged to be incomplete and not in compliance with *SRBA Administrative Order 1, Rules of Procedure*.

On July 8, 2008, the State of Idaho filed its *Motion to File Late Response to Objection* in each of the four subcases because it alleged that since the *Objections* did not provide any reasons in support, the pleadings did not identify the issues involved.

A hearing on the two *Motions* was held by telephone on July 16, 2008. Randall C. Budge appeared for the Aberdeen-Springfield Canal Company, along with Steve Hauser; Travis L. Thompson appeared for the Twin Falls Canal Company, North Side Canal Company, Milner Irrigation District, A&B Irrigation District, and Burley Irrigation District; W. Kent Fletcher appeared for the Minidoka Irrigation District; C. Thomas Arkoosh appeared for the American Falls Reservoir District No. 2; David J. Barber

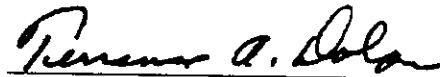
¹ Members of the Surface Water Coalition include: Twin Falls Canal Company, North Side Canal Company, Milner Irrigation District, A&B Irrigation District, Burley Irrigation District, Minidoka Irrigation District and American Falls Reservoir District No. 2.

appeared for the State of Idaho; and Garrick L. Baxter appeared for IDWR, along with Ray Williams.²

THEREFORE, IT IS ORDERED that:

1. The Aberdeen-Springfield Canal Company's *Motion to Strike Objections* is **denied**; and
2. The State of Idaho's *Motion to File Late Response to Objection* in each of the above subcases is **granted**.

DATED July 16, 2008.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

² David L. Negri, counsel for objectors the United States of America, Department of Interior, Bureau of Land Management and Bureau of Reclamation called the Court on July 16, 2008, to advise he would not be able to attend the hearing and that the United States took no position on the *Motions*. Scott Beazer monitored the hearing by telephone for the BLM.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO STRIKE OBJECTIONS AND ORDER GRANTING MOTION TO FILE LATE RESPONSE was mailed on July 16, 2008, with sufficient first-class postage to the following:

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
301 MAIN ST
PO BOX 32
GOODING, ID 83330
Phone: 208-934-8872

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

ABERDEEN SPRINGFIELD CANAL CO
ABERDEEN-SPRINGFIELD
ABERDEEN-SPRINGFIELD CANAL CO

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

UNITED STATES OF AMERICA
USDI BLM
USDI BUREAU OF RECLAMATION

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318
Phone: 208-678-3250

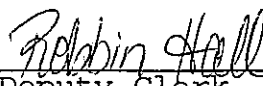
DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

ORDER

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Deputy Clerk