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DEPARTMENT OF
WATER RESOURCES

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

) ORDER SETTING DEADLINES
) AND STATUS CONFERENCE

) SUBCASE NO. 34-282C and 34-452E
)
)
)

The SRBA District Court issued *Partial Decrees* for water rights 34-282C and 34-452E on January 15, 1998. The court received a *Motion to Set Aside the Partial Decree* from Max and Cheryl Bingham on March 18, 2008. Hearings were held on the *Motion* on May 14, 2008 and July 30, 2008. No parties objected to the *Motion*, but the Court needs to determine the appropriate elements of the water right before ruling on the *Motion*.¹

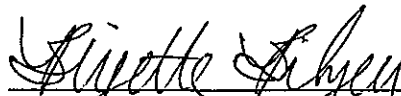
IT IS ORDERED that the following deadlines shall govern further proceedings:

August 29, 2008	5:00 pm	Deadline to File Amended Director's Report
September 26, 2008	5:00 pm	Deadline to file Objection
October 10, 2008	5:00 pm	Deadline to file Response
December 3, 2008	11:30 am	Status Conference

Location: Snake River Basin Adjudication
253 Third 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: July 31, 2008.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

¹ This Special Master notes that the Bingham's have asked that the *Partial Decree* be set aside. The Special Master is prepared to rule on that *Motion*, however, the SRBA District Court prefers to have one *Special Master's Report and Recommendation* at the conclusion of the proceedings that includes a recommendation for the elements of the water right. This Special Master presumes without deciding, that sufficient grounds exist to support setting aside this *Partial Decree* under I.R.C.P. 60(b)(5). A full decision on that question shall issue after the *Amended Director's Report* has been considered.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING DEADLINES AND STATUS CONFERENCE was mailed on July 31, 2008, with sufficient first-class postage to the following:

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

MAX & CHERYL BINGHAM
3861 N HWY 93
LESLIE, ID 83255

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