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OCT 23 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - 5F BA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 22 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

Case No. 39576

) Subcases 63-00198AJ, 63-00199B,
) 63-00199C, 63-00200B, 63-00200C,
) 63-02392B, 63-02968, 63-30181,
) and 63-32000
)
) ORDER GRANTING MOTION TO FILE
) LATE RESPONSE
)
) ORDER SETTING STATUS
) CONFERENCE

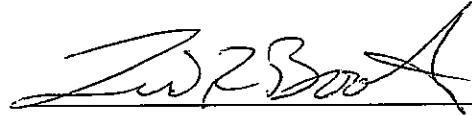
On June 30, 2008, the Lindsay Lateral Association (hereinafter "LLA"), through its attorney Candice M. McHugh, filed a *Motion to File Late Response*, seeking to file responses to the objections filed in subcases nos. 63-00198AJ, 63-00199B, 63-00200B, 63-02392B, 63-02968, and 63-30181. (Subcases 63-00199C and 63-00200C have been identified by IDWR as "uncontested overlaps" in the *Case Management Proposal for Basin 63, Part 3*, filed with the Court on August 23, 2007.) Lodged contemporaneously with the *Motions* were the *Affidavit of Candice M. McHugh in Support of Motion to File Late Response(s)*, and a proposed response. The Nampa & Meridian Irrigation District hereinafter "NMID"), which is the claimant of all of the above-captioned water rights with the exception of 63-32000, through its attorney S. Bryce Farris, lodged a *Brief in Response to Lindsay Lateral Water User Association's Motion to File Late Responses*. A hearing on the motions was held on September 5, 2008.

Based upon the file and record herein, and upon the comments of the participants at the hearing on the matter, and good cause appearing, LLA's *Motions* are **granted**. Specifically, and in accordance with the standards of I.R.C.P. 55(c), this Special Master finds that the LLA has demonstrated good cause for its untimeliness, that the claimant NMID is not prejudiced by the untimely filing of a response by the LLA, and that the

LLA had presented a meritorious position. The Clerk of the Court is instructed to file the previously lodged responses.

A Status Conference will be held on **April 14, 2009, at 9:00 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 Oct 22, 2008

A handwritten signature in dark ink, appearing to read 'T. R. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE RESPONSE ORDER SETTING STATUS CONFERENCE was mailed on October 22, 2008, with sufficient first-class postage to the following:

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