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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 74-179C, 74-179D, 74-180B,
Case No. 39576) 74-4006, 74-15520 and 74-15521
) (Stokes and Eagle Valley Ranch LLC)
)
_____) ORDER SETTING DEADLINES

A hearing on Boyd and Dean Stokes' *Motion to Set Aside Partial Decrees* in subcases 74-179C, 74-180B and 74-4006 was reconvened by telephone on September 25, 2008. The Stokes', Mike Kossler, and Malinda and Vincent Tracy appeared *pro se*; Robert L. Harris appeared for Eagle Valley Ranch LLC and Dale Jolly, along with his client; and Chris M. Bromley appeared for IDWR, along with Nathaniel Aarve.

The parties agreed there was significant confusion surrounding water transfers and the terms of a warranty deed which resulted in errors in partial decrees. IDWR suggested the best solution is to ask the Presiding Judge to set aside and amend the three partial decrees, plus another three, to accurately reflect the proper use of water. To that end, Mr. Harris moved to set aside partial decrees entered in the three additional overlapping water rights: 74-179D, 74-15520 and 74-15521. IDWR agreed it would provide the Court and parties with "proposed partial decrees" – how it would recommend the six water rights be decreed to correct the errors.

THEREFORE, IT IS ORDERED that:

1. IDWR shall prepare and submit to the Court proposed partial decrees for water rights 74-179C, 74-179D, 74-180B, 74-4006, 74-15520 and 74-15521 describing how it would recommend they be amended **no later than November 7, 2008**; and
2. The parties shall file any objections they may have to IDWR's proposed partial decrees **no later than November 28, 2008**.

DATED October 22, 2008


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING DEADLINES was mailed on October 22, 2008, with sufficient first-class postage to the following:

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