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FEB 11 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 10 2009

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

) ORDER CONTINUING HEARING ON
) MOTION TO SET ASIDE PARTIAL
) DECREE, MOTION TO FILE LATE
) OBJECTION, AND MOTION TO
) AMEND CLAIM

) SUBCASE NO.: 34-368

The SRBA District Court issued a *Partial Decree* for water right 34-368 on April 14, 1998. On August 6, 2008, the Court received an *Objection* filed by Dennis K. Moss. The court treated the late *Objection* as a *Motion to Set Aside Partial Decree and a Motion to File Late Objection*. Mr. Moss also filed a *Motion to File Amended Notice of Claim* on August 6, 2008. A hearing was held on February 4, 2009. Mr. Moss failed to attend the hearing. The Department of Water Resources was present at the hearing and discussed that some documents were apparently filed in 1992, including a possible *Motion to Amend Claim* which may have been sent to IDWR June 9, 1992. However, the movant was not present to provide information or argument on the *Motion*.

The Court continued the hearing on the *Motion*. **FAILURE TO ATTEND THE FOLLOWING HEARING MAY RESULT IN THE MOTION BEING DENIED.**

Please be advised that Special Master Brigitte Bilyeu has set the following date in the above subcase:

June 10, 2009

2:00 pm

Continued Hearing on Motion

Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by telephone for the Continued Hearing on Motion 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: February 10, 2009.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONTINUING HEARING ON MOTION TO SET ASIDE PARTIAL DECREE, MOTION TO FILE LATE OBJ & MOTION TO AMEND CLAIM was mailed on February 10, 2009, with sufficient first-class postage to the following:

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

DENNIS K MOSS
DENNIS MOSS
3286 N 3350 W
MOORE, ID 83255
Phone: 208-554-4140