

MAR 06 2009

DEPARTMENT OF
WATER RESOURCES

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

MAR - 5 2009

By _____ Clerk
DISTRICT OF THE _____ 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 ON MOTION FOR ENTRY OF
SPECIAL MASTER'S REPORT AND
RECOMMENDATION AND SETTING
SUBCASE DEADLINE**

**SUBCASE NOS.: 37-862, 37-22255, and
37-22256**

A *Motion for Entry of Special Master's Report and Recommendation* was filed by the Oliver Family Trust on February 12, 2009. *Responses to the Motion for Entry of Special Master's Report and Recommendation* were filed by Tom O'Gara, *et al.*, Big Wood Canal Company, Peter Trust, and Sinclair Oil Corporation. A hearing was held on February 26, 2009. At the hearing, the Objectors and Respondents pointed out that they did not receive notice of the *Notice of Completed Administrative Proceeding* which split parent right 37-862 into split rights 37-22255 and 37-22256. The Objectors and Respondents indicated that they intend to proceed with their *Objections* and *Responses*. The Oliver Family Trust noted that Objectors and Respondents had not received notice of the NCAP split and would be allowed to proceed with their *Objections* and *Responses*.

THEREFORE, IT IS ORDERED that the *Motion for Entry of Special Master's Report and Recommendation* is **denied** at this time to allow the parties the opportunity to resolve the *Objections*. IT IS FURTHER ORDERED that the *Objections* and *Responses* filed in water right 37-862 will survive the split into 37-22255 and 37-22256. Additionally, the court notes that these subcases will be set for Initial hearing in April 2009.

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

March 6, 2009

2:00 pm

Informal Telephone Settlement Conference

Dated: March 5, 2009.

Brigette Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTION FOR ENTRY OF SPECIAL MASTER'S REPORT AND RECOMMENDATION AND SETTING SUBCASE DEADLINE was mailed on March 05, 2009, with sufficient first-class postage to the following:

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