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MAR 31 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 30 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

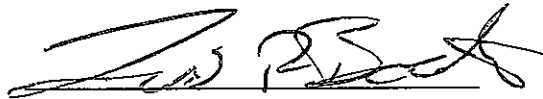
-) Subcase Nos: 37-00353, 37-00353B,
-) 37-00353D, 37-00353E, 37-00353F,
-) 37-00353G, 37-00353H, 37-00353J,
-) 37-00353K, 37-00353L, 37-20348, 37-21146,
-) 37-22042, and 37-22043
-)
-) ORDER GRANTING MOTION TO FILE
-) LATE OBJECTION IN SUBCASE
-) 63-00353K
-)
-) ORDER SETTING STATUS
-) CONFERENCE

On December 18, 2008, the claimant of water right 37-00353G, Barbara Barry, through her attorney Paul L. Arrington, filed a *Motion to File Late Objection* together with the *Affidavit of Paul L. Arrington in Support of Motion to File Late Objection*. The *Motion* was heard on March 24, 2009. Based upon the contents of the *Motion*, and upon the comments of the participants at the hearing, and good cause appearing, the *Motion* is **granted**. The Clerk of the Court is instructed to file the previously lodged objection. Responses to the objection are due April 30, 2008.

It is the understanding of this Special Master that all of the above-captioned water right claims are derived from a water right originally decreed in the Foster Decree to James Johnson in the amount of 320 miner's inches (6.4 cfs) from the Big Wood River with a priority date of June 12, 1886. It is further the understanding of this Special Master that the sum of the above-captioned claims in the SRBA is 7.41 cfs – i.e. more than what is available under the prior decree. Objections have been filed in subcases 37-00353F, 37-00353G, 37-00353J, 37-00353K, 37-00353L, and 37-22146. The remaining subcases have been identified as uncontested claims that may be affected by the outcome of the contested subcases. I.C. § 42-1412(7).

A status conference will be held will be held on **June 2, 2009 at 1:30 PM** 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. The parties should be prepared to discuss scheduling matters and also whether the Court should request that the Idaho Department of Water Resources file amended director's reports for any or all of the above-captioned water right claims.

Dated March 30, 2009



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 OBJECTION; ORDER SETTING STATUS CONFERENCE was mailed on March 30, 2009, with sufficient first-class postage to the following:

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