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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 7 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	)	Subcase 75-10061Q
	)	(Quinn)
Case No. 39576	)	
	)	ORDER GRANTING MOTION
	)	TO FILE LATE OBJECTION

On December 18, 2008, a *Special Master Report* was entered in subcases 75-2025E (Mosher), 75-10061Q (Quinn) and 75-14431 (Matejko). Claim 75-10061Q was recommended to James and Rowena Quinn for .025 cfs from Carmen Creek to irrigate 3.2 acres in Lemhi County from April 1 to October 31 with a priority date of May 1, 1875, based on a decree.

The Carmen Creek Users¹ filed a *Motion to Alter or Amend Special Master's Recommendation* on January 2, 2009, in subcase 75-10061Q and on March 18, 2009, they filed a *Motion to File Late Objection* in subcase 75-10061Q. The *Special Master Report* was withdrawn on March 25, 2009.

A hearing on the Carmen Creek Users' *Motion to File Late Objection* in subcase 75-10061Q was held by telephone on August 6, 2009. Travis L. Thompson appeared for the Carmen Creek Users; Hyrum D. Erickson appeared for James and Rowena Quinn; R. Lee Leininger appeared for the USDI / BLM, along with Fredric W. Price; and Nicholas B. Spencer appeared for IDWR, along with Suzy Cooley-Denney.

¹ The Carmen Creek users are: Albert and Alvera Fols, Charles and Mary Harling, A.C. and Luella Pilkerton, Lloyd and Sheryl Tutor, Marci Dixon and Tracy Mascia.

For good cause shown,

THEREFORE, IT IS ORDERED that:

1. The Carmen Creek Users' *Motion* is **granted**; and
2. Subcase 75-10061Q shall be added to the 81 claims now set for trial on February 24, 2010, in Salmon, Idaho.²

DATED August 7, 2009.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

² See *Amended Trial Schedule Order*, subcases 75-69A, *et al.*, dated March 25, 2009, and *Order Granting Motion to Change Trial Location*, subcases 75-69A, *et al.*, dated June 22, 2009.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION was mailed on August 07, 2009, with sufficient first-class postage to the following:

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