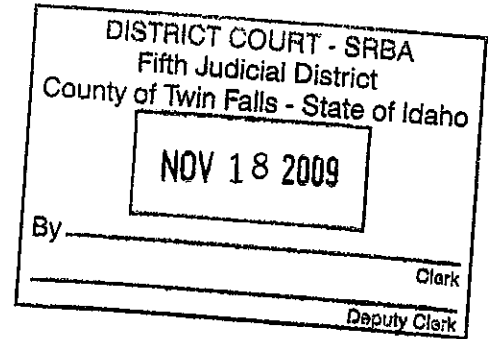


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DEPARTMENT OF
WATER RESOURCES



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 75-14, et al. (see attached list of 16 "Jesse Creek" subcases)
	)	
Case No. 39576	)	ORDER DENYING MOTION TO ALTER OR AMEND
_____	)	

Background

The Special Master entered a *Report and Recommendation* in the above subcases on September 23, 2009. Objector Robert L. Blackdar filed a *Motion to Alter or Amend* in subcase 75-14 (presumably, all 16 subcases) on October 26, 2009, simply stating: "I hereby file a Motion to Alter or Amend the above mentioned proceeding." Mr. Blackadar has not submitted any additional documents, including a brief or memorandum of law, to date. Neither has Mr. Blackadar stated whether he desires to present oral argument in support of his *Motion*.

SRBA Administrative Order 1, Rules of Procedure (AO-1) clearly require the Snake River Basin Adjudication to follow the Idaho Rules of Civil Procedure:

1. **SCOPE AND PURPOSE**, a. The litigation of the SRBA will be governed by the Idaho Rules of Civil Procedure (I.R.C.P.), Idaho Rules of Evidence (I.R.E.) and the Idaho Appellate Rules (I.A.R.).

Idaho Rules of Civil Procedure, 7(b)(3) states:

(C) It shall not be necessary to file a brief or memorandum of law in support of a motion, but the moving party must indicate upon the face of the motion whether the party desires to present oral argument or file a brief within fourteen (14) days with the court in support of the motion.

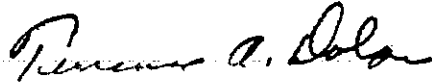
(D) If the moving party does not request oral argument upon the motion, and does not file a brief within fourteen (14) days, the court may deny such motion without notice if the court deems the motion has no merit.

Order

Because Mr. Blackdar has failed to comply with the requirements of *AO-1* and the *I.R.C.P.* and has failed to allege grounds for his *Motion*,

THEREFORE, IT IS ORDERED that Mr. Blackadar's *Motion to Alter or Amend* in the above subcases is **denied**.

DATED November 18, 2009.



TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

75-00014
75-00019D
75-00019H
75-00020
75-00024
75-00113A
75-00113B
75-00113C
75-10475
75-14123
75-14124
75-14125
75-14533
75-14534
75-14535
75-14536

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO ALTER OR AMEND was mailed on November 18, 2009, with sufficient first-class postage to the following:

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