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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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN - 7 2010	
By _____	Clerk
_____	Deputy Clerk

In Re SRBA

Case No. 39576

)
) Subcase: 63-32533
)
) ORDER SETTING CHALLENGE
) SCHEDULING ORDER
) AOI § 13.c.
)

Procedural Background

On November 27, 2009, the Special Master filed an *Order Denying Claimants' Motion to Alter or Amend*. Pursuant to *Administrative Order 1* ("AOI") Section 13.c. any party seeking to challenge the Order must have filed a *Notice of Challenge* within fourteen (14) days following the date the Order was filed, or on or before December 11, 2009. On December 11, 2009, claimants Bill Aten, Joe Aten, Maria Morales and Matthew Aten, acting *pro se*, filed a handwritten letter "to challenge" the *Order Denying Claimants' Motion to Alter or Amend*. This Court considered the letter as a timely *Notice of Challenge* to the Special Master's order.

Deadline for Filing Statement of Issues

Although the Court considered the claimants' letter as a timely *Notice of Challenge*, the letter is unclear as to the issues to be addressed. Therefore, the claimants shall file and serve on all parties, a concise statement of the issues raised on challenge no later than **January 15, 2010**. Parties shall take notice that this briefing schedule modifies the schedule set forth in *SRBA Administrative Order 1*, section 13(e).

Lodging of Transcripts

If requested, transcripts are to be lodged by **February 5, 2010**. See *AOI* § 13.d.

Briefing Schedule

It is hereby ordered that the following briefing schedule shall apply:

Challengers Opening Brief due by: **February 26, 2010.**

Respondent's Responsive Brief due by: **March 19, 2010.**

Challengers Rebuttal Brief (optional) due by: **March 29, 2010.**

Parties shall take notice that this briefing schedule modifies the schedule set forth in *AOI*, Section 13(e).

Oral Argument

Pursuant to *AOI*, section 13.e.(4), only those parties who file briefs will be allowed oral argument. Oral argument will be heard on **Friday, April 2, 2010, at 10:00 a.m.**, at the Snake River Basin Adjudication Courthouse, 253 – 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing the number 1-918-583-3445 and when prompted entering code 406128.

IT IS SO ORDERED.

DATED January 7, 2010.



ERIC S. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING CHALLENGE SCHEDULING ORDER AO1 SECTION 13.C. was mailed on January 07, 2010, with sufficient first-class postage to the following:

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