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JUN 25 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 24 2010	
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	)	ORDER ON MOTIONS
	)	
Case No. 39576	)	SUBCASE NOS.: 37-296A, 37-717,
	)	37-1216, 37-7854, 37-296B, 37-19740
	)	and 37-21412
_____	)	

The Indian Creek Ranch Owners Association, Inc. filed a *Motion to Compel* in subcase 37-7854 on June 4, 2010. The *Motion to Compel* sought to compel answers to Discovery requests which were served on April 28, 2010. The *Motion* was timely filed under I.R.C.P. 7(b)(3).

The City of Hailey filed a *Motion to Compel, for Protective Order and Consolidation*. Seeking to consolidate subcases 37-296B, 37-19740, and 37-21412. The City of Hailey filed its *Motion* on June 17, 2010. A hearing was held on both *Motions* and on the *Motion to Shorten Time* for the City of Hailey.

The *Motion to Compel* brought by Indian Creek Ranch Owners Association, Inc. was **granted**, and the *Motion for Protective Order* sought by the City of Hailey was **denied**. The Court established a **deadline of June 30, 2010** for the City of Hailey to answer Discovery.

The I.R.C.P. 30(b)(6) deposition of the City of Hailey to be taken by Indian Creek Ranch Owners Association, Inc. was rescheduled for **July 13, 2010**.

The *Motion to Compel* brought by the City of Hailey to resume the I.R.C.P 30(b)(6) Deposition of Indian Creek Ranch Owners Association was **granted**. The Court set **July 14, 2010** for the deposition to resume. Indian Creek Ranch Owners Association shall provide the documents requested.

The depositions of Victor & Dana Hofstetter were set for **July 15, 2010**. However, counsel explained that a *Motion for Protective Order* may be filed.

The City of Hailey's *Motion for Consolidation* of subcases 37-296B, 37-19740, and 37-

21312 and the *Motion to Compel* information collected by the Indian Creek Homeowners Association during an inspection of the City of Hailey water system will be held **July 8, 2010 at 10:00 am**. The *Motion for Protective Order* will also be heard **July 8, 2010 at 10:00 am**. The Court will consider whether an additional Settlement Conference should be held with PARTIES ONLY.

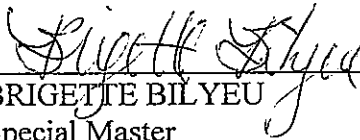
During the Hearing on June 21, 2010, the *Responses* filed by Dana and Victor Hofstetter in subcases 37-7854, 37-296A, 37-717, and 37-1216 were **withdrawn**. The City of Hailey had no opposition, and the *Motion to Withdraw* was **granted**. Therefore, the *Responses* by Dana and Victor Hofstetter filed in those four subcases are **dismissed with prejudice** and the Hofstetters are **dismissed as parties**.

Therefore, IT IS ORDERED THAT the following dates have been set in these subcases:

June 30, 2010	5:00 pm	Deadline for the City of Hailey to Answer Discovery
July 8, 2010	10:00 am	<u>Motion for Consolidation, Motion to Compel,</u> <u>Motion for Protective Order</u> Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301
July 13, 2010		Deposition of the City of Hailey
July 14, 2010		Deposition of Indian Creek Ranch Owners Association
July 15, 2010		Deposition of Victor and Dana Hofstetter

Parties may participate by telephone for the Hearing on the Motions by dialing 1-215-446-0193 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the Clerk's office at (208)736-3011.

Dated: June 24, 2010.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTIONS was mailed on June 24, 2010, with sufficient first-class postage to the following:

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