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DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

) Subcases:

) 75-10603 (Felton)

) 75-14531 (Heltsley)

) ORDER GRANTING MOTION FOR
) CONTINUANCE AND RESETTING HEARING

On July 9, 2010, the Special Master entered a *Report and Recommendations* in the above two subcases and on August 18, 2010, claimants Stuart L. Felton and the Ann M. Heltsley Living Trust filed their *Motion to Alter or Amend*. The claimant filed a *Motion for Continuance to File a Memorandum in Support of Claimants' Motion to Alter or Amend* on August 25, 2010, "to provide Claimants' the necessary time to obtain a copy of the Court's transcript of the proceedings. . . ." The claimants asked for an extension until November 15, 2010, plus a resetting of the hearing on the *Motion* until November 29, 2010.

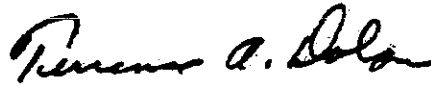
On August 27, 2010, objectors Daryl and Patricia Hull filed their *Objection to the Motion for Continuance* because the objectors "have waited over 3 years for a decision from the Court on this matter and will be required to wait an additional 3 months or more before knowing if their property is secure from the damage that will be done to it if the Felton's / Heltsley are able to move the point of diversion to the spring head."

While it is true the parties were able to buy a copy of the digital recording of the proceedings soon after the February 26, 2010 trial, the claimants have requested a reporter's typed transcript. The SRBA Court's reporter has advised us she cannot prepare a transcript until mid-September which will require the hearing be rescheduled to allow sufficient time for review.

THEREFORE, IT IS ORDERED that:

1. The claimants' *Motion for Continuance* is **granted**; and
2. The hearing on the claimants' *Motion to Alter or Amend* is reset to **Monday, November 29, 2010, 1:30 p.m.** The parties and IDWR may participate by telephone conference by calling AT&T, 1-215-446-0193, and when prompted, entering participant code 654400.

DATED August 30, 2010.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR CONTINUANCE AND RESETTING HEARING was mailed on August 30, 2010, with sufficient first-class postage to the following:

ANN M HELTSLEY LIVING TRUST
STUART L FELTON

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PATRICK MURPHY
14 BLAZE TREE TRAIL
NORTH FORK, ID 83466
Phone: 208-756-6022

DARYL HULL
15 BLAZE TREE TRAIL
NORTH FORK, ID 83466
Phone: 208-865-2075