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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 5 2011	
By _____	Clark
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	)	02-201, 02-223 and 02-224 (State of Idaho)
	)	and
	)	03-6, 03-7 and 03-8 (State of Idaho)
Case No. 39576	)	
	)	ORDER RE: COMMENT DEADLINE
_____	)	

A hearing on the State of Idaho's *Motion to Set Aside and Amend Partial Decrees* in subcases 03-6, 03-7 and 03-8 was held by telephone conference on August 8, 2011. Clive Strong appeared for the State; James C. Tucker appeared for Idaho Power; Candice M. McHugh appeared for various groundwater entities; Josephine P. Beeman appeared for the Water Resource Coalition; Dana L. Hofstetter appeared for the Harpers; and Chris M. Bromley appeared for IDWR, along with Carter Fritschle.

In its *Motion*, the State sought to amend the *Partial Decrees* entered July 9, 2007, "1) to include a provision in each decree that clarifies the waters and water rights subject to administration to satisfy each respective minimum flow water right in times of shortage, and 2) to amend other elements of the partial decrees to provide clarity and to ensure consistency between the description of the three stream flow water rights." *Memorandum in Support*, at 1. The date of the hearing, the State filed its *Amended Motion to Set Aside and Amend Partial Decrees* in the same three subcases.

At the same time, the State filed a *Stipulation* in subcases 03-6, 03-7 and 03-8, as well as subcases 02-201, 02-223 and 02-224, signed by the State, Idaho Power Company and multiple groundwater entities generally agreeing all six subcases can proceed as requested by the State but without prejudice in other subcases.

Finally, the date of the hearing, the State and Idaho Power filed *Standard Forms 5* in subcases 02-201, 02-223 and 02-224 resolving Idaho Power's objections.

In advance of the hearing, the State invited counsel for interested non-parties to ensure their knowledge of the proceedings even though no one responded to the State's *Motion* or *Amended Motion*. There was some concern with insufficient time to review documents filed the day of the hearing, so it was agreed the Special Master would withhold for ten days entering reports and recommendations on the State's *Amended Motion* and the *SF-5s*.

THEREFORE, IT IS ORDERED that if interested non-parties at the hearing choose to comment on the State's *Amended Motion* and the *SF-5s*, they shall do so in writing **no later than Monday, August 15, 2010**, after which the Special Master will proceed accordingly.

DATED August 5, 2011.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER RE COMMENT DEADLINE was mailed on August 05, 2011, with sufficient first-class postage to the following:

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BONNEVILLE-JEFFERSON GROUND
CLARK JEFFERSON GROUND WATER
MADISON GROUND WATER DISTRICT
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