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1995 MAY 18 PM 4:49
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	Subcase No. 36-04009
	)	
Case No. 39576	)	ORDER SUBSTITUTING PARTY CLAIMANT;
	)	
	)	DISMISSING PARTIES TO SUBCASE;
	)	
	)	GRANTING LEAVE TO FILE LATE
	)	OBJECTION; and
	)	
	)	REQUIRING RESPONSE TO LATE
	)	OBJECTION

On May 12, 1995, the parties filed a *Stipulation to Partially Resolve Objection; Stipulation and Order Granting Leave to File Amended Objection*. The parties seek to (1) substitute Rustic Ag, Inc. as the party claimant to the subcase in place of Triple Ace, Inc. and (2) dismiss Triple Ace, Inc., Desert Ridge Farms, Inc. and Patterson Farms of Idaho, Inc. as parties to the subcase. IDWR has changed its own internal records but the parties recognize that the court's record must be corrected.

In the *Stipulation*, the parties also seek leave to file what is essentially a late objection to the water right claim objecting to the period of use recommended in the Director's Report for Reporting Area 3.

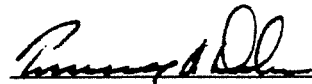
THEREFORE, IT IS ORDERED:

1. Substituting Rustic Ag, Inc. as the party claimant to the water right;
2. Dismissing Triple Ace, Inc., Desert Ridge Farms, Inc. and Patterson Farms of Idaho, Inc. as parties to the subcase;

ORDER SUBSTITUTING PARTY CLAIMANT; DISMISSING
PARTIES TO SUBCASE; GRANTING LEAVE TO FILE LATE
OBJECTION; AND REQUIRING RESPONSE TO LATE OBJECTION
5/18/95

3. Granting Rustic Ag, Inc. leave to file a late objection to the period of use recommended in the Director's Report for Reporting Area 3, such late objection to be filed within thirty (30) days of the date of this Order; and
4. Requiring the State of Idaho, IDWR, to file its response to the late objection within sixty (60) days following the date of filing of the late objection.

Dated: **5-18-95**



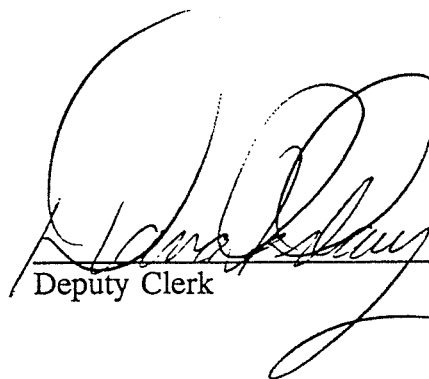
Terrence A. Dolan
Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SUBSTITUTING PARTY CLAIMANT; DISMISSING PARTIES TO SUBCASE; GRANTING LEAVE TO FILE LATE OBJECTION; and REQUIRING RESPONSE TO LATE OBJECTION was mailed on May 18, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
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Boise, ID 83711-4449

Roger D. Ling
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Deputy Clerk