

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 31 2015	
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 CSRBA	)	ORDER GRANTING MOTION TO
	)	FILE LATE OBJECTION AND
Case No. 49576	)	SETTING DEADLINE
	)	
	)	SUBCASE NOS.: EXHIBIT A
	)	
_____	)	

I. PROCEDURAL BACKGROUND

Motions to File Late Objections were filed by the State of Idaho on July 17, 2015. A hearing was held on the *Motions* on August 26, 2015.

II. STANDARD OF REVIEW

The CSRBA Administrative Orders establish that *Motions to File a Late Objection* are to be reviewed under the criteria of I.R.C.P. 55(c). *CSRBA Administrative Order 1* (AO1) § 4 (d)(5)(a).

According to *AOI* Rule § 4(d)(5)(a) a court applies the criteria of I.R.C.P. 55(c) when determining whether to allow the filing of a late objection. The proponent of a Motion for Late Objection, must show “good cause” and a “meritorious position.” I.R.C.P. 55(c).

III. DISCUSSION

In support of the *Motions*, the State of Idaho argued that there is good cause and a meritorious position. The State of Idaho explained that the *Director’s Report* recommendations for these rights contained an error in the quantity element. The quantity elements recommended for these rights is for an instantaneous diversion rate of .2 cfs. However, the quantity recommendation inadvertently omitted a limitation of .2 AF per day. The Late Objections seek to add that limitation to the quantity element.

EXHIBIT A

Subcase Nos:

91-07726	92-10989
91-07854	92-10990
91-07855	92-10991
91-07856	92-10993
91-07857	92-10996
91-07858	92-10997
91-07859	
91-07860	
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92-10986	
92-10987	

(Subcase list: MOTNLATEOB)
8/26/15