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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED QC

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

) ORDER GRANTING MOTION FOR
) LEAVE TO FILE OBJECTION

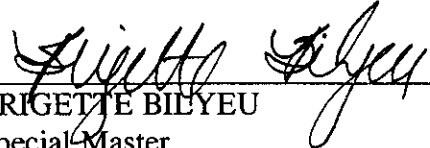
) SUBCASE NO.: 29-11740, 29-10990,
) 29-13418, 29-13626, 29-4215, 29-13627,
) 29-4161B, 29-11609, 29-12877, 29-4160
) and 29-12499

A *Motion for Leave to File Objection* was filed by the Shoshone-Bannock Tribes in the above referenced subcases. The *Motion* was filed November 17, 2003 seeking permission of court to file Objections in Basin 29. Basin 29 Objections were due on November 14, 2003. The envelopes in which the Objections were mailed to the SRBA Court contain a U.S. Post Office date stamp of November 14, 2003.

All documents or pleadings must be filed with the clerk of the SRBA and are not deemed "filed" until received by the clerk of the SRBA. *AOI* §3(b). However, the SRBA Court has allowed additional time for filing of documents such as *Motions to Alter or Amend* pursuant to IRCP 6(e), *See, Memorandum Decision and Order on Challenge* (Subcase Nos. 34-000012, 34-000013, 34-02507, and 34-10873) (April 27, 1999), *But See, Order Re: Timeliness of Filing a Notice of Challenge and Order Dismissing Challenge* (Subcase No. 63-07035C) (September 6, 2000)

The Objections filed by the Shoshone-Bannock Tribes were at most only one business day late. Considering that no prejudice to the claimants has been demonstrated, and considering the SRBA District Court's prior ruling on IRCP 6(e), IT IS ORDERED that the *Motion for Leave to File Objection* is **granted**. The SRBA clerk is directed to file the above objections as of November 14, 2003.

Dated: December 3, 2003


BRIGETTE BILYEU

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR LEAVE TO FILE OBJECTION was mailed on December 03, 2003, with sufficient first-class postage to the following:

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