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TWIN FALLS CO., IDAHO
FILED
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**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: 65-20152

Case No. 39576

ORDER SETTING EVIDENTIARY HEARING

The above water right was claimed as a dual-based right, meaning it was claimed on both a state-based, beneficial use basis and a Federal Reserve water right basis. On August 30, 2004, the United States Department of Interior, Bureau of Land Management, filed a *Standard Form 5/Amended Claim* for the above water right. The *SF5* was signed by the objector, the State of Idaho, and concurred with by the Idaho Department of Water Resources. The *SF5* amended the legal descriptions for the claim, but still contained a dual-basis for the claim.

Therefore, IT IS ORDERED that an evidentiary hearing, pursuant to I.C. 42-1411(A)(12), is set for 1:30 p.m. on Tuesday, October 19, 2004, at the Snake River Basin Adjudication Courthouse, 253 – 3rd Avenue North, Twin Falls. An affidavit by Robert Mallis was filed to this right on July 31, 2003. Any further affidavits in support of this claim are due on or before October 8, 2004.

DATED August 30 2004.

John M. Melanson

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

CERTIFICATE

I certify that a true and correct copy of the ORDER SETTING:
EVIDENTIARY HEARING was mailed on August 30, 2004, with sufficient
first-class postage to the following:

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

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US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

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ORDER

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Deputy Clerk

Julie Murphy