

2004 SEP 23 PM 4:44
DISTRICT COURT
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

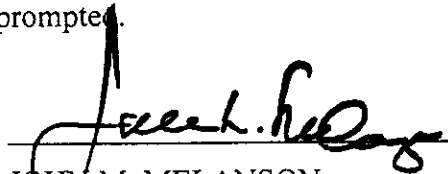
Case No. 39576

-) ORDER REQUIRING RE-FILING OF
-) LATE CLAIM AND NOTICE
-) RESETTING HEARING ON MOTION
-) TO FILE LATE CLAIM
-)
-) For water right claim: 72-201B (to be
-) reassigned a different number)
-)

A *Motion to file a Late Notice of Claim* was filed for the above-captioned water right by the Shoshone-Bannock Tribes on June 2, 2004. A hearing was held on the matter on September 21, 2004. At the hearing it was determined the claimant failed to previously contact IDWR regarding a proper claim number for the late claim and that the late claim was filed under an improper claim number. Water right 72-201B was already decreed. It was also asserted that several errors existed with respect to the claimed elements. The Court ordered that the claimant contact IDWR to confirm a proper claim number and either amend or re-file the *Motion*, and that the matter be reset for the next regularly scheduled status conference.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **October 19, 2004, at 1:30 p.m.** at the **Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho**. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

Dated September 23, 2004


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

**ORDER REQUIRING RE-FILING OF LATE CLAIM AND NOTICE RESETTING HEARING ON
MOTION TO FILE LATE CLAIM**

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER REQUIRING RE-FILING OF LATE CLAIM AND NOTICE RESETTING HEARING ON MOTION TO FILE LATE CLAIM was mailed on September 23, 2004, with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

SHOSHONE-BANNOCK TRIBES

Represented by:
WILLIAM F. BACON
1600 ARLINGTON
POCATELLO, ID 83204
Phone: 208-234-0454

D WAYNE BAKER
MELODIE L BAKER
HC 68 BOX 304
CLAYTON, ID 83227
Phone: 208-838-2440

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.