

2005 MAR 18 PM 12:15

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

Case No. 39576

)
)
) **ORDER GRANTING MOTION TO FILE**
) **AMENDED NOTICE OF CLAIM**
) **For water rights: 21-12894 and 22-13084**
)
)

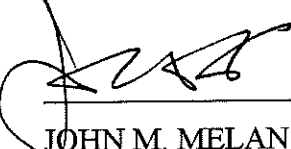
On September January 3, 2005, Claimant David P. Klepich filed a *Motion to File Amended Notice of Claim* for water right 21-12894. On March 15, 2005, a hearing was held on the *Motion*. The *Motion* would substitute water right 21-12894 for water right 22-13084, which was claimed by the previous owner of the water right. The Claimant appeared to support the *Motion*. Mr. Nick Spencer of the Idaho Department of Water Resources appeared to provide a background for the *Motion*. No one appeared to oppose the *Motion*.

Water right 22-13084 was apparently claimed incorrectly by the previous owner, and listed an incorrect legal description, which placed the water right in an incorrect basin. Following questioning by the Court, the Court has concluded that the Claimant presented proper grounds for the *Motion to File Amended Notice of Claim* to be granted.

Therefore, IT IS ORDERED, that the above water right is hereby **allowed** to proceed as an amended claim.

The original Amended Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the I.D.W.R for further action.

Dated: March 17, 2005.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

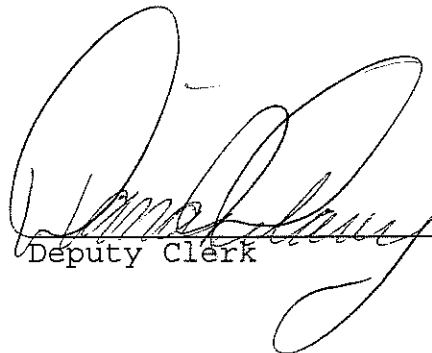
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM was mailed on March 18, 2005, with sufficient first-class postage to the following:

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

JESSE C BERGESON
RT #2 BOX 169
ST. ANTHONY, ID 83445
Phone: 208-624-7058

DAVID P KLEPICH
ROBERTA KLEPICH
491 N 2100 E
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Phone: 208-624-4741

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk, is written over a horizontal line.