

RECEIVED

JUN 24 2005

DEPARTMENT OF
WATER RESOURCES

2005 JUN 23 PM 4:49

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 VACATING HEARING**

) **And**

) **DISMISSING MOTION TO FILE**

) **AMENDED NOTICE OF CLAIM**

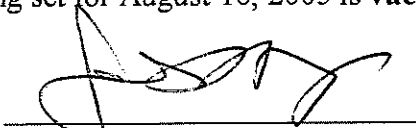
)
)
) **For water right: 22-12900**
)
)

On May 20, 2005, Claimant Dyle Peterson, by and through his attorney, Robert L. Harris, filed a *Motion to File Amended Notice of Claim* for the above water right. A hearing was set by the Court for August 16, 2005. On June 10, 2005, the Court received a *Notice of Withdrawal of Motion to File an Amended Notice of Claim* filed by the Claimant through his attorney. The *Motion* stated that because the *Director's Report for Basin 22* has not been forwarded to the Court, that the Claimant would amend his *Notice of Claim* administratively.

Administrative Order 1 Rule 4(d)(2) states that in areas where a *Director's Report* has not been filed, an amended notice of claim shall be filed with IDWR. A *Motion to File An Amended Notice of Claim* is not required to be filed with the Court. The *Director's Report* for Basin 22 has not been filed with the Court at this time.

THEREFORE IT IS ORDERED that the *Motion to File Amended Notice of Claim* is dismissed without prejudice, and the hearing set for August 16, 2005 is vacated.

Dated June 22, 2005


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING HEARING AND DISMISSING MOTION TO FILE AMENDED NOTICE OF CLAIM was mailed on June 23, 2005, with sufficient first-class postage to the following:

DYLE PETERSON

Represented by:
ROBERT L HARRIS
HOLDEN, KIDWELL, HAHN & CRAPO
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".