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DEPARTMENT OF
WATER RESOURCES
DISTRICT COURT - SRBA
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 45-10502
Case No. 39576) (Warthen)
)
) ORDER GRANTING MOTION TO
) AMEND CLAIM NO. 45-10502 AND
) SETTING DEADLINES

Claimant Earl Warthen filed his *Motion to Amend Claim No. 45-10502* on February 24, 2006, to delete irrigated acreage from the places of use. Norman and Delores Smyers filed their *Objection to Earl Warthen's Motion to Amend Claim No. 45-10502* on February 28, 2006, based on timeliness and potential injury to the Smyers' claims, plus the lack of requisite documents and fees.

A hearing on the *Motion* was held on March 9, 2006. Shelley M. Davis appeared for Earl Warthen; Michael P. Tribe appeared by telephone for the Smyers; David L. Negri appeared by telephone for the United States of America, Department of Agriculture, Forest Service; and Chris M. Bromley appeared by telephone for IDWR, along with Kelly Christensen.

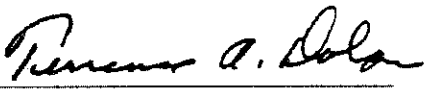
For good cause shown,

THEREFORE, IT IS ORDERED that:

1. The *Motion to Amend Claim No. 45-10502* is **granted**;
2. IDWR shall prepare and file with the SRBA Court its recommendation concerning amended claim 45-10502 no later than **Friday, March 24, 2006**;
3. Objections to the recommendation shall be filed no later than **Friday, April 7, 2006**;
4. Responses shall be filed no later than **Friday, April 21, 2006**; and

5. A status conference will be held by telephone on **Thursday, May 4, 2006, 11:30 a.m.**

DATED March 10, 2006.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM NO 45-10502 AND SETTING DEADLINES was mailed on March 10, 2006, with sufficient first-class postage to the following:

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