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DEPARTMENT OF
WATER RESOURCES

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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

) Subcase 45-12906

) (Smyer)

Case No. 39576

)

) ORDER GRANTING MOTION

) TO AMEND NOTICE OF CLAIM

On November 6, 2006, claimants Norman and Delores Smyer filed a *Motion to File Amended Notice of Claim* in subcase 45-12906 to amend the claimed priority date from March 18, 1910, to August 31, 1874, based on a decree. The Smyers noted that objector Earl Warthen and IDWR "consented" to the earlier priority date. There are no other parties to the subcase.

THEREFORE, IT IS ORDERED that the Smyers' *Motion* is **granted**. It is ordered that IDWR shall file its recommendation concerning the Smyers' amended claim, simultaneously with its recommendation of Mr. Warthen's late claim, 45-13991, no later than **Friday, March 2, 2007**.

DATED January 9, 2007



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 NOTICE OF CLAIM was mailed on January 09, 2007, with sufficient first-class postage to the following:

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NORMAN L SMYER

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