

- 1) whether the default was willful;
- 2) whether setting aside the judgment would prejudice the opponent; and
- 3) whether a meritorious position has been presented.

Order on Motion to Set Aside Partial Decrees and File Late Objections (A.L. Cattle) (Jan. 31, 2001).

In support of the *Motion*, the State of Idaho explained that the *Notice of Completed Administrative Proceedings* filed by IDWR on February 20, 2007 made extensive changes to the elements of these water rights. The State of Idaho argued that recent case law under *United States v. Pioneer Irrigation District.*, Docket No. 31790 (March 9, 2007) and a scrivener's error in the *Notice of Completed Administrative Proceedings* referring to the date of a state contract with Idaho Power Co. require a late objection. No parties to the SRBA opposed the *Motion*, and there is no showing prejudice would result from allowing the late objection.

III. FINDINGS

Under the circumstances of this case, good cause exists for filing a late objection. Additionally, the State of Idaho has set forth a meritorious position on the ownership issue.

Therefore, the *Motion to File Late Objection* is **granted**. The *Objection* will be filed with the court dated May 11, 2007.

Dated: May 15, 2007.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING STATE OF IDAHO'S MOTION TO FILE LATE OBJECTION was mailed on May 16, 2007, with sufficient first-class postage to the following:

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