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MAY 01 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 30 2009	
By _____	Clerk
Deputy Clerk	

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	) Subcases 36-16490 and 36-16491
	)
Case No. 39576	) ORDER RE: MOTION TO FILE LATE
	) OBJECTION;
	)
	) ORDER GRANTING MOTION TO FILE
	) AMENDED NOTICE OF CLAIM;
	)
_____	) ORDER SETTING DEADLINES

On January 28, 2009, the claimants of the above-captioned water rights, Scott Earle and Pamela R. Smith, lodge Standard Form 1 Objections to the *Director's Report* for these claims. Because the Objections were submitted to the Court after the applicable deadline, they were treated as motions to file late objections. A hearing on the motions was held on April 28, 2009. At the hearing it was determined that the relief sought in the late objections would require an amendment to claim no. 36-16490, and accordingly Mr. Earle orally moved for leave to file an amended notice of claim. Based upon the comments of the participants of the hearing, and good cause appearing, the motion to file an amended notice of claim is hereby **granted**. Because of the amendment to the claim, the motions to file late objections are now moot. An amended director's report will need to be filed for the amended notice of claim.

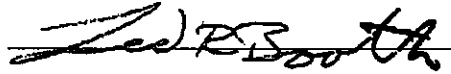
The following deadlines shall apply:

- 1) The claimant shall file an amended notice of claim for water right 36-16490 by **May 8, 2009**.
- 2) IDWR shall file an amended director's report by **May 29, 2009**.
- 3) Notice of the filing of the amended director's report shall be published on the Court's monthly Docket Sheet for the month of June, 2009. Objections to the amended

director's report are due by **June 29, 2009**. The claimants are required to file a new objection should they disagree with the amended director's report.

IT IS SO ORDERED

Dated April 30, 2009



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER RE MOTION TO FILE LATE OBJECTION; ORDER GRANTING MOTION TO FILE AMENDED CLAIM; ORDER SETTING DEADLINES was mailed on April 30, 2009, with sufficient first-class postage to the following:

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

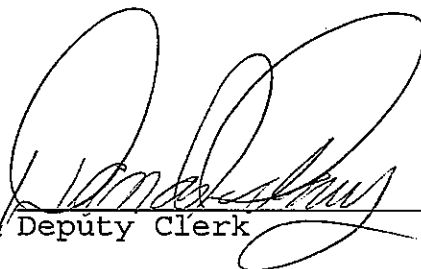
PAMELA R SMITH
SCOTT A EARLE
1127 E 2900 S
HAGERMAN, ID 83332
Phone: 208-404-4399

JAMES THRONEBERRY
1728 CRESTMONT DR
MERIDIAN, ID 83642-1623
Phone: 208-887-1018

ORDER

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FILE COPY FOR 00421 Deputy Clerk

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