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MAY 21 2009

Department of Water Resources  
Adjudication Bureau

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| MAY 20 2009                                                                             |
| By _____<br>Clark<br>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

) Subcase: 85-15713

Case No. 39576

)

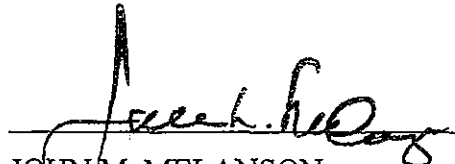
) ORDER DENYING MOTION TO FILE  
) LATE NOTICE OF CLAIM  
)  
)  
)

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This matter came before the Court pursuant to a *Motion to File a Late Notice of Claim* filed by Claimants Vernon D. and Sharon B. Permann on February 2, 2009. A hearing was held on the *Motion* on May 19, 2009. The hearing was attended by Mr. Permann, along with Chris Bromley, a representative of the Idaho Department of Water Resources. Mr. Permann's Notice of Claim is for 0.89 cfs with a domestic *de minimis* purpose of use. It appears that Mr. Permann's Notice of Claim contains a quantity and a priority date that are not consistent with a proper *de minimis* claim.

Therefore, IT IS ORDERED that the *Motion to File a Late Notice of Claim* is **denied** without prejudice in order to give the Claimant time to re-evaluate and possibly file an Amended Notice of Claim.

Dated May 20, 2009

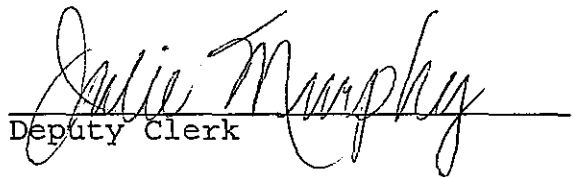
  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING  
MOTION TO FILE LATE NOTICE OF CLAIM was mailed on May 20, 2009,  
with sufficient first-class postage to the following:

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

SHARON B PERMANN  
VERNON D PERMANN  
25588 COTTONWOOD CREEK RD  
CULDESAC, ID 83524  
Phone: 208-843-2766

Handwritten signature of Julie Murphy in cursive script, written over a horizontal line.