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OCT 30 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 29 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	) Subcase 02-103
	) (Wootan, Bryant and Black Mesa Farms LLC)
	)
Case No. 39576	) ORDER GRANTING MOTIONS TO ALTER OR
	) AMEND, TO AMEND CLAIM AND TO FILE A
	) LATE OBJECTION AND REQUESTING
	) AMENDED DIRECTOR'S REPORT

On July 2, 2009, the Special Master entered a *Special Master Report* in subcases 02-103, 02-10189 and 02-10209 recommending claim 02-103 to Christine and Wesley Wootan, P.O. Box 636, Glenss Ferry, Idaho, 83623, Don and Brenda Bryant, P.O. Box 215, Glenss Ferry, Idaho, 83623, and Black Mesa Farms LLC, P.O. Box 82, Glenss Ferry, Idaho, 83623, for 8.54 cfs from the Snake River to irrigate 428 acres within a 3,948 acre place of use in Elmore County with a priority date of June 11, 1965, based on beneficial use.

On August 28, 2009, Black Mesa Farms filed a *Motion to Alter or Amend Special Master Recommendation for Partial Decree* in subcase 02-103 requesting changes in certain remarks and an earlier priority date because of "relatively complex facts and legal issues." Black Mesa Farms then filed a late *Objection* and a *Motion to File Amended Notice of Claim* in subcase 02-103 on August 31, 2009.

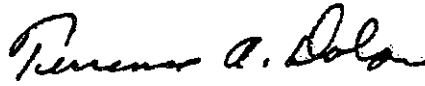
A hearing on the *Motions* was held on October 22, 2009. Michael P. Lawrence and Michael C. Creamer appeared for Black Mesa Farms and Nicholas B. Spencer appeared for IDWR, along with Donald Shaff. IDWR did not oppose the *Motions* and suggested it file a director report on the amended claim.

THEREFORE, IT IS ORDERED that:

ORDER GRANTING MOTIONS TO ALTER OR AMEND,
TO AMEND CLAIM AND TO FILE A LATE OBJECTION
AND REQUESTING AMENDED DIRECTOR'S REPORT
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1. The *Motions* are **granted**;
2. IDWR shall file with the SRBA Court a director's report and recommendation on amended claim 02-103 no later than **Friday, January 29, 2010**;
3. Objections to the director's recommendation shall be filed with the SRBA Court no later than **Monday, March 1, 2010**; and
4. A status conference shall be held on **Thursday, April 1, 2010, 11:00 a.m.** Parties may participate by telephone by dialing 1-225-383-1099 and when prompted, entering the code 654400.

DATED October 29, 2009.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTIONS TO ALTER OR AMEND, TO AMEND CLAIM AND TO FILE LATE OBJECTION AND REQUESTING AMENDED DIR'S RPT was mailed on October 29, 2009, with sufficient first-class postage to the following:

BLACK MESA FARMS LLC

Represented by:
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DIRECTOR OF IDWR

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