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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 13 2010

By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re SRBA

Water Rights: 72-16778 & 72-16781

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

Eddie E. Baker and Eddie Baker, Jr., by and through counsel, Daniel V. Steenson, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights; October 2, 2008 for 72-16778 and October 15, 2008 for 72-16781. Hearing was held on the *Motions* on January 20, 2009. Valley Sun, by and through counsel, Laird Lucas, appeared at hearing in opposition to the *Motions to File Late Notice of Claim*. Following the hearing this Court referred the matter to a special master to make findings consistent with the I.R.C.P. 55(s) standard.

On January 13, 2010, Special Master Theodore R. Booth issued a *Special Master's Report and Recommendation on Motions to File Late Notices of Claim* recommending the above-captioned late claims be granted. Although the time for filing a *Motion to Alter or Amend* to the *Special Master's Report and Recommendation* has not expired, the Court can find no reason to delay the issuance of this *Order* and will forward the late claims to IDWR for investigation and reporting.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for the above-captioned water rights are **granted**.

The original Notice of Claim for each right, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further

action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated January 13, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on January 13,
2010, with sufficient first-class postage to the following:

EDDIE BAKER JR

EDDIE E BAKER

Represented by:

DANIEL V. STEENSON

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VALLEY SUN LLC

Represented by:

LAWRENCE (LAIRD) J. LUCAS

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BOISE, ID 83702

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DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" and last name "Murphy" clearly distinguishable.