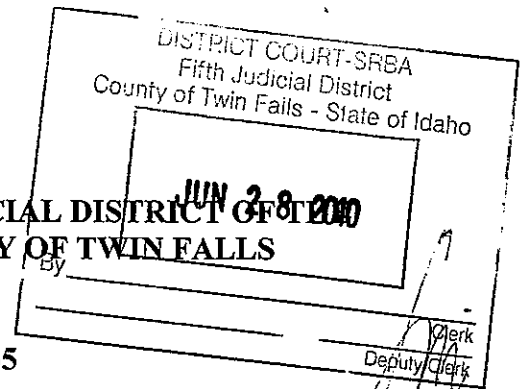


RECEIVED

JUN 30 2010

Department of Water Resources
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: 75-14635

Case No. 39576

ORDER CONDITIONALLY GRANTING
MOTION TO FILE LATE NOTICE OF
CLAIM

On March 5, 2010, Kevin J. Keller, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on June 15, 2010. No party appeared in opposition to the *Motion*. However, at the hearing, Mr. David Negri, on behalf of the Bureau of Land Management, brought to the Court's attention an error in the point of diversion contained in the *Notice of Claim* filed by Mr. Keller. The Idaho Department of Water Resources concurred with Mr. Negri. Following a review of the file and after hearing the comments made in open court, the Court finds that good cause exists for granting the instant *Motion*, provided that the claimant first file and serve, as required by *SRBA Administrative Order 1* ("AO1") section 6, an *Amended Notice of Claim* that corrects the above-mentioned clerical error as to the claimed point of diversion.

THEREFORE, IT IS HEREBY ORDERED that the *Motion to File Late Notice of Claim* for the above-captioned water right is **conditionally granted** subject to the filing and service by *AO1* section 6, by the claimant of an *Amended Notice of Claim* that corrects the clerical error presently existing in the *Notice of Claim* pertaining to the point of diversion. Upon receipt by This Court of an *Amended Notice of Claim* that conforms with this *Order*, this Court will forward the *Amended Notice of Claim* to the Idaho Department of Water Resources for processing.

IT IS SO ORDERED.

Dated: June 28, 2010.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONDITIONAL GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on June 28, 2010, with sufficient first-class postage to the following:

KEVIN J KELLER
PO BOX 36
CARMEN, ID 83462
Phone: 208-756-4632

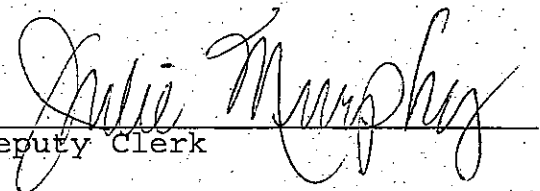
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

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FILE COPY FOR 00638

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned in the bottom right corner of the page.