

5-9

DEPARTMENT OF
WATER RESOURCES

Attorney for the Claimant

In Re SRBA

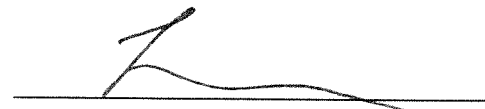
Case No. 39576

COMES NOW, the Claimants, Bonnie C. Kevicki, Barbara L. Murphy, Joel E. Dean E. Olsen, Michael L. Olsen and Milford D. Sweat (collectively “Sweat”), by and through Fritz X. Haemmerle of Haemmerle & Haemmerle, P.L.L.C., and pursuant to P. 60(a) and (b), and based on the inherent power of the Court, moves the Court to set aside the partial decrees entered in Subcase Numbers 37-00743A, 37-02676 and 37-02677. Consistent with rulings of this court regarding Amended Claims in fully delineated Sub-basins, the claimant requests that this matter be referred to a Special Master for consideration.

The basis of this Motion is set forth in the *Affidavit of Fritz X. Haemmerle in Support of Motion to Set Aside Partial Decrees and To File Amended Claims*. Oral argument is requested.

DATED this 4 day of May, 2011.

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

CERTIFICATE OF MAILING

I certify that on May 4, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

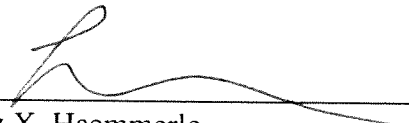
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Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

W.D. Pardue
535 Austin Rd.
Carey, ID 83320

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase. (Insert Names/address of parties)



Fritz X. Haemmerle