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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 21 2012	
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

Case No. 39576

) WATER RIGHT NO: 61-12268
)
) ORDER CONDITIONALLY GRANTING
) LATE NOTICE OF CLAIM
)
)
)
)
)
)

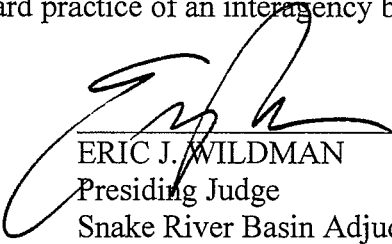
On November 23, 2011, the State of Idaho Department of Lands ("State") filed a *Motion to File Late Notice of Claim* for the above-captioned water right. A hearing on the *Motion* was held on February 21, 2012. At that hearing, it was determined by counsel for the State that an *Amended Notice of Late Claim* needed to be filed in conjunction with the *Motion* to correct errors in the claimed quantity and point of diversion elements. An *Amended Notice of Late Claim* was filed by the State on February 24, 2012. A second hearing on the *Motion* was held on March 20, 2012. No party appeared in opposition to the *Motion*. However, at the hearing an issue was raised regarding the payment of the appropriate filing fees associated with the late claim. Counsel for the State represented that the standard practice for the payment of filing fees as between the Department of Lands and the Idaho Department of Water Resources is that if the late claims are granted, the Department of Lands effectuates payment through an interagency billing. Therefore, following a review of the files and after hearing the comments made in open court, the Court finds that good cause exists for granting the instant *Motion*, provided that the Idaho Department of Lands submits the appropriate filing fees associated with the late claim pursuant to its standard practices.

THEREFORE, IT IS HEREBY ORDERED that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **conditionally granted** subject to the Idaho

Department of Lands submitting the appropriate late claim filing fees to the Idaho Department of Water Resources pursuant to the standard practice of an interagency billing.

Dated

March 21, 2012.



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 LATE NOTICE OF CLAIM was mailed on March 21, 2012, with sufficient first-class postage to the following:

STATE OF IDAHO DEPT OF LANDS

Represented by:

STATE OF IDAHO

JRW BUILDING, SECOND FLOOR

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DIRECTOR OF IDWR

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ORDER

Page 1 3/21/12

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Deputy Clerk



SCANNED

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