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MAY 22 2013

DEPARTMENT OF
WATER RESOURCES

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

MAY 21 2013

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

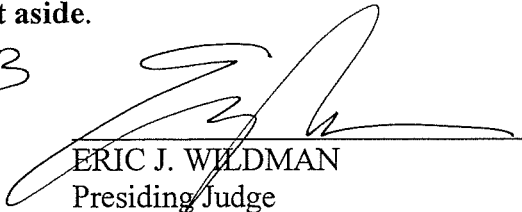
) Subcase Nos. 37-12388
)
) ORDER GRANTING RULE 60(b)
) MOTION FOR RELIEF FROM
) JUDGMENT
)
) ORDER SETTING ASIDE FINAL
) ORDER DISALLOWING WATER
) RIGHT CLAIM
)
)
)

On May 20, 2013, a *Final Order Disallowing Water Right Claim* was issued in the above-captioned subcase. On February 22, 2013, Gary Hoffman ("Hoffman") filed a *Rule 60(b) Motion for Relief from Judgment*, requesting that this Court set aside the *Final Order Disallowing Water Right Claim*. Hearing on the *Motion* was held on May 20, 2013. No party appeared in opposition to the *Motion*. Following a review of the file and after hearing the comments made in open court, the Court found that Hoffman had set forth sufficient grounds to establish (1) a meritorious position, and (2) that the *Motion* is supported by unique and compelling circumstances sufficient to justify relief under Idaho Rule of Civil Procedure 60(b).

THEREFORE, THE FOLLOWING ARE HEREBY ORDERED:

1. Hoffman's *Rule 60(b) Motion for Relief from Judgment* is **hereby granted**.
2. The *Final Order Disallowing Water Right Claim* entered in the above-captioned subcase on May 20, 2013, is **hereby set aside**.

Dated May 20, 2013


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
RULE 60(B) MOTION FOR RELIEF / ORDER SETTING ASIDE FINAL ORDER
DISALLOWING WATER RIGHT CLAIM was mailed on May 21, 2013, with
sufficient first-class postage to the following:

DR GARY HOFFMAN

Represented by:

ANDREW J WALDERA

101 S CAPITOL BLVD 10TH FL

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BOISE, ID 83701-0829

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LARRY M COOPER

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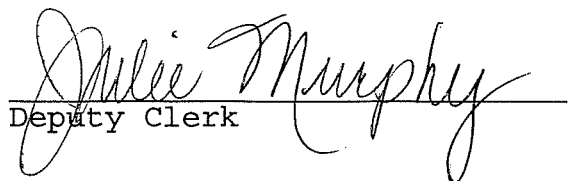
KETCHUM, ID 83340

Phone: 208-726-3317

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".