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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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 No.: 36-04074 and 36-04148B
)
)
)
)
)

**ORDER GRANTING MOTION TO
FILE LATE OBJECTION**

96-03-0061

On December 22, 1995, claimant Clear Lakes Country Club filed its *Motion of Clear Lakes Country Club for Leave to File Late Objections* concerning the above water right claims. Attached to the *Motion* were three affidavits and the claimant's Objections. The *Motion* and affidavits alleged that the claimant failed to timely file objections to the Director's recommendations because the claimant reasonably believed its objections would be resolved separately from the SRBA process. By the time it realized the error and consulted with legal counsel, the time to file objections had passed. The *Motion* and affidavits also alleged facts to support its claim to more water than recommended by the Director.

A hearing was held before the Special Master on March 19, 1996, at the SRBA Courthouse in Twin Falls, Idaho. Patrick D. Brown appeared for the claimant and Brent R. King appeared by telephone for IDWR. Norman M. Semanko appeared for L&M, Inc. (Clear Lakes Ranch), which may claim some interest in the two claims.

After considering the pleadings and arguments of counsel, it is clear that the claimant has (1) timely filed its *Motion*, (2) shown good cause to file late objections, and (3) alleged facts which constitute a meritorious position.

THEREFORE, IT IS ORDERED that the *Motion* is **granted**. Objections lodged with the *Motion* are deemed filed this date. Responses to the objections shall be filed no later than April 19, 1996.

DATED March 20, 1996.



TERRENCE A. DOLAN
Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION was mailed on March 20, 1996, with sufficient first-class postage to the following:

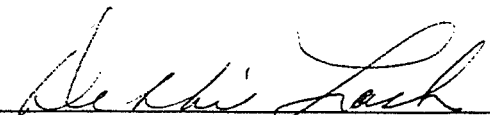
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Deputy Clerk