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JUN 15 2017

DEPARTMENT OF
WATER RESOURCES

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

JUN 14 2017

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

In Re SRBA

Case No. 49576

) Water Right Nos.: 94-2113 and 94-4189
)
) ORDER ON MOTIONS TO ASIDE AND
) MODIFY PARTIAL DECREES
)
)
)

On February 15, 2017, *Partial Decrees* were issued for the above-captioned water rights. On March 2, 2017, the claimant Hecla Limited filed *Motions to Set Aside and Modify Decrees* seeking to modify the decreed descriptions for the point of diversion and place of use. Pursuant to notice, a hearing was scheduled on the *Motions* for June 13, 2017. No one appeared at the hearing on behalf of Hecla Limited. The Court noted on the record that the *Motions* were not filed by a licensed attorney. Further that while a non-lawyer may represent him or herself in a legal proceeding, he or she can not represent a business entity without engaging in the unlawful practice of law. *See* I.C. §§ 3-104 and 3-420. Therefore the Court could not allow the *Motions* to be pursued through a non-lawyer.

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. Hecla Limited shall have until July 1, 2017, to retain an attorney and have that attorney file an appearance in the above-captioned subcases. The Court will then reschedule a hearing on the *Motions*.
2. Alternatively, in the event Hecla Limited chooses not to retain an attorney and an appearance is not filed by July 1, 2017, the Court will dismiss the *Motions* without prejudice.

Dated

June 14, 2017

ERIC J. WILDMAN
Presiding Judge

Coeur d'Alene-Spokane River Basin Adjudication

ORDER ON MOTIONS TO ASIDE AND MODIFY PARTIAL DECREES

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON
MOTIONS TO SET ASIDE AND MODIFY PARTIAL DECREES was mailed on
June 14, 2017, with sufficient first-class postage to the following:

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