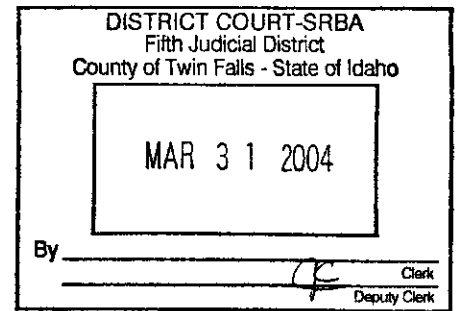




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER GRANTING MOTION TO
	)	FILE AMENDED NOTICE OF CLAIM
Case No. 39576	)	AND SETTING SUBCASE DEADLINES
	)	
	)	SUBCASE NOS. 29-12873
	)	

I. PROCEDURAL BACKGROUND

Correspondence was received from Kenneth Heinlein on September 4, 2003 requesting that he be allowed to amend his water right claim to include stockwater. The court treated this correspondence as a *Motion to File Amended Notice of Claim*. A hearing was held on the *Motion* on March 31, 2004.

II. STANDARD OF REVIEW

The SRBA Court administrative rules establish that motions to amend claims "shall be freely given when justice so requires." *SRBA Administrative Order 1 (A01)* § 4d (2) (k)

III. FINDINGS

Mr. Heinlein explained at the hearing that he sent paperwork to IDWR prior to the issuance of a *Director's Report* seeking to amend the claim. IDWR sent the paperwork back to him because the document was not complete. Mr. Heinlein missed the deadline for filing the amended claim with IDWR and therefore submitted it to the court. Mr. Heinlein seeks to amend the claim to add stock water in the amount of .02 cfs with domestic in the amount of .04 cfs for a total quantity of .04 cfs. There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is granted.

IT IS ORDERED that the following deadlines shall govern further proceedings:

May 7, 2004	5:00 pm	Deadline to file Amended Director's Report
May 14, 2004	5:00 pm	Deadline to file Objection
May 21, 2004	5:00 pm	Deadline to file Response to Objection
June 2, 2004	10:00 am	Status Conference by phone

Parties may participate by phone by dialing 1-225-383-1099 and when prompted enter the participant code 926509

DATED March 31, 2004.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM AND SETTING SUBCASE DEADLINES was mailed on March 31, 2004, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

KENNETH HEINLEIN
1940 BARTON RD
POCATELLO, ID 83204
Phone: 208-313-1393