

2004 MAY 6 PM 2 58

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. 29-13249
	)	

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Mike and Eileen Chambers on April 15, 2004. The *Motion* seeks to amend the notice of claim for this water right by correcting the point of diversion to T6S R38E S33 SWSE. A hearing was held on the *Motion* on May 5, 2004. The claimants did not appear.

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

At the hearing, IDWR gave a brief report regarding the proposed amendment to the claim. IDWR reported that a clerical error in the claim and the *Director's Report* may be related to the proposed amendment to the claim. However, the claimants need to submit a written Amended Claim so it is clear what the claimants intend to claim as their point of diversion. There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

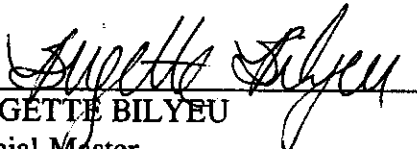
IT IS ORDERED that the following deadlines shall govern further proceedings:

May 28, 2004	5:00 pm	Claimants to file written Amended Claim with IDWR
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June 25, 2004	5:00 pm	Deadline to file Amended Director's Report
July 16 2004	5:00 pm	Deadline to file Objection
July 23, 2004	5:00 pm	Deadline to file Response to Objection
July 28, 2004	9:45 am	Status Conference Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301

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

DATED May 6, 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 May 05, 2004, with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
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BOISE, ID 83724

DIRECTOR OF IDWR
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