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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.: 29-604A AND
	)	29-13471

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Scott and Brandy Wells on April 20, 2004. The *Motion* seeks to amend the notice of claim for this water right by changing the priority date and adding domestic use. A hearing was held on the *Motion* on May 26, 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

Counsel for the Wellses explained at the hearing that the claim should be amended to correct the priority date claimed and to add domestic use as a purpose. Both the addition of domestic uses and the priority date now asserted are based on prior decrees and a treaty. The Wellses seek to amend the claim to correct the claimed priority date as February 16, 1869 and to add domestic uses as a claimed purpose. There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

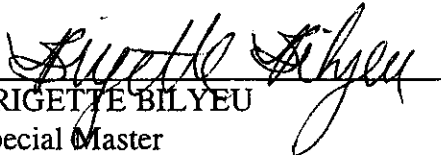
IT IS ORDERED that the following deadlines shall govern further proceedings:

June 30, 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 21, 2004	1:30 pm	Status Conference
July 21, 2004	5:00 pm	Deadline to File Standard Form 5 for water right 29-13471

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

DATED June 7, 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 June 07, 2004, with sufficient first-class postage to the following:

R SCOTT WELLS

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Deputy Clerk