

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

RECEIVED
SEP 24 2004
DEPARTMENT OF
WATER RESOURCES

In Re SRBA	)	ORDER GRANTING MOTION TO
	)	FILE AMENDED NOTICE OF CLAIM
Case No. 39576	)	AND SETTING SUBCASE DEADLINES
	)	
	)	SUBCASE NOS. 29-11277

A *Motion to File Amended Notice of Claim* was filed by Portneuf Irrigating Company on January 7, 2004. The *Motion* seeks to amend the notice of claim for this water right by correcting the name of claimant to Portneuf Irrigating Company, changing priority from 1889 to a later date in 1932, expanding season of use to 4/01 to 10/31 for irrigation, expanding season of use to 4/01 to 12/31 for stockwater, increasing quantity from .33 cfs to 10 cfs for stockwater, and correcting total acreage to 3,420.7 acres. A hearing was held on the *Motion* on February 27, 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

Portneuf Irrigating Company asserts it has historically used water during the expanded irrigation period, that it has used the greater quantity it now claims, and that there was an error in totaling the acreage that should be corrected.

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:

- | | | |
|----------------|---------|--|
| March 26, 2004 | 5:00 pm | Deadline to file Amended Director's Report |
| April 16, 2004 | 5:00 pm | Deadline to file Objection |
| April 23, 2004 | 5:00 pm | Deadline to file Response |

DATED March 3, 2004.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

29-11277
(365)

SNAKE RIVER BASIN ADJUDICATION (SRBA)

DISTRICT COURT OF THE STATE OF IDAHO
PO BOX 2707
253 3RD AVENUE NORTH
TWIN FALLS, IDAHO 83303-2707
1-208-736-3011

***** RECEIPT # 1933

1-07-2004

RECEIVED FROM: PARSONS, SMITH, & STONE, LLP

FOR: FEES WT RT #29-11277

		TYPE OF PAYMENT	
AMOUNT PAID:	967.00	CHECK:	967.00 9974
		CASH:	.00
		COIN:	.00
AMOUNT RETURNED:	.00	CHARGED:	.00

ISSUED BY: JM

HELD: PENDING MOTION TO FILE AMENDED NOTICE OF CLAIM

RECEIVED
SEP 14 2004
DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources Receipt

Receipt ID C075268

Payment Amount **\$967.00** Date Received **9/24/2004 2:47:21 PM** Region **State** Status
Payment Type **Check** Check Number **9974**

Payer **PARSONS, SMITH & STONE, LLP**
Comment **ADJUDICATION CLAIM #29-11277**

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$967.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)

Just along same
course checking and
found this check

Should have been
announced when
motion was
granted on 2/27/04

