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DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2006 AUG 3 PM 3 13

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 CLAIM AND    |
| Case No. 39576 | ) | SETTING SUBCASE DEADLINES |
|                | ) | AND STATUS CONFERENCE     |
|                | ) |                           |
|                | ) | SUBCASE NO.: 27-12095     |

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**I. PROCEDURAL BACKGROUND**

A *Motion to File Amended Notice of Claim* was filed by Torgesen Ranch Inc. on January 25, 2006. The *Motion* seeks to amend the notice of claim for this water right by changing the legal description for the place of use. A hearing was held on the *Motion* on July 25, 2006.

**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 claimant, Kent Foster, explained that the legal description needs to be amended to accurately define the place of use. 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:

|                           |                |                                            |
|---------------------------|----------------|--------------------------------------------|
| <b>August 31, 2006</b>    | <b>5:00 pm</b> | Deadline to file Amended Director's Report |
| <b>September 29, 2006</b> | <b>5:00 pm</b> | Deadline to file Objection                 |
| <b>October 20, 2006</b>   | <b>5:00 pm</b> | Deadline to file Response to Objection     |

November 1, 2006

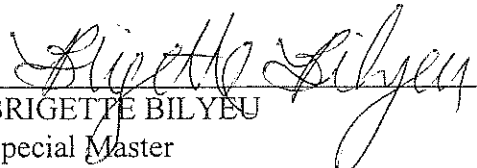
11:00

Status Conference

**Location:** Snake River Basin Adjudication  
253 3<sup>rd</sup> 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 August 3, 2006.

  
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 CLAIM AND SETTING SUBCASE DEADLINES AND STATUS CONFERENCE was mailed on August 03, 2006, with sufficient first-class postage to the following:

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