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DEPARTMENT OF
WATER RESOURCES

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	SETTING SUBCASE DEADLINES AND
	)	STATUS CONFERENCE
_____	)	SUBCASE NO. 37-4007

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Peter A. Bowler on September 18, 2006. The *Motion* seeks to amend the notice of claim for this water right in the point of diversion and place of use. A hearing was held on the *Motion* on November 8, 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

At the hearing, IDWR explained that Mr. Bowler has worked closely with the Department to accurately describe his water use. It was determined that an error was made in the point of diversion and place of use that need to 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:

December 29, 2006	5:00 pm	Deadline to file Amended Director's Report
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January 29, 2007	5:00 pm	Deadline to file Objection
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February 9, 2007

5:00 pm

Deadline to file Response to Objection

February 14, 2007

9:30 am

Status Conference

Location: Snake River Basin Adjudication
253 3rd 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 November 14, 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, SETTING DEADLINES AND STATUS CONFERENC was mailed on November 14, 2006, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

PETER A BOWLER
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