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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

Case No. 39576

ORDER GRANTING MOTION TO FILE AMENDED CLAIM AND SETTING SUBCASE DEADLINES

SUBCASE NO.: 27-10028

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Leon Gardner on October 30, 2006. The *Motion* seeks to amend the notice of claim for this water right by adding stockwater. A hearing was held on the *Motion* on December 20, 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

Mr. Gardner explained that he inadvertently left off the stockwater portion of his claim. He realized that he had not included the stockwater claim at the Initial Hearing. 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:

February 23, 2007 **5:00 pm** Deadline to file Amended Director's Report

March 28, 2007 **5:00 pm** **Deadline to file Objection**

April 20, 2007 **5:00 pm** **Deadline to file Response**

December 19, 2007 **10:00 am** Trial (1 day)

Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

DATED January 2, 2007.

Brigitte Bilyeu
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 was mailed on January 03, 2007, with sufficient first-class postage to the following:

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