

2007 AUG 21 AM 11: 25

INTVCT 21-2054C-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 CLAIM AND
Case No. 39576	)	SETTING SUBCASE DEADLINES
	)	
_____	)	SUBCASE NO.: 21-2054C

I. PROCEDURAL BACKGROUND

A Scheduling Conference was held for the above listed water right on August 8, 2007. At the hearing, the State of Idaho made an oral *Motion to File an Amended Claim*. The *Motion* seeks to amend the notice of claim for this water right by correcting some of the elements of the right.

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

The claimant, State of Idaho, explained that the parties have determined the original claim contained some inaccuracies. In addition, the original claim combined elements from two hydrological basins.(Basin 21 and Basin 31) The State of Idaho seeks to correct the point of diversion, state the source and its tributary correctly, and make distinctions between Basin 21 and Basin 31 portions of the right.

There was no opposition to the *Motion*. However, the objector, James Hagenbarth explained that he may file an *Objection* to the *Director's Report*. Therefore, the *Motion to File Amended Notice of Claim* is **granted**. IT IS ORDERED that the following deadlines shall govern further proceedings:

September 28, 2007

5:00 pm

Deadline to file Amended Claim

November 16, 2007	5:00 pm	Deadline to file Amended Director's Report
December 21, 2007	5:00 pm	Deadline to file Objection
January 4, 2008	5:00 pm	Deadline to file Response
January 9, 2008	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. If you have any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: August 20, 2007.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

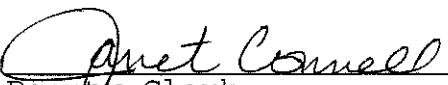
I certify that a true and correct copy of the ORDER GRANTING
MOTION TO FILE AMENDED CLAIM AND SETTING SUBCASE DEADLINES
was mailed on August 21, 2007, with sufficient first-class postage
to the following:

JAMES F HAGENBARTH

Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
PO BOX 83720
BOISE, ID 83720-0050
Phone: 208-334-0200

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


Deputy Clerk