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STRICTLY CONFIDENTIAL
WIN 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.: 22-2149A

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by CM Fullmer Irrigation Systems on August 14, 2008. The *Motion* seeks to amend the notice of claim for this water right by including acreage and a diversion point that were part of the original license. A hearing was held on the *Motion* on August 19, 2008.

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

CM Fullmer Irrigation Systems explained that it wants to more accurately describe the water right. Apparently the information collected by GPS did not accurately reflect the acreage on the north side of the creek on the property. Additional acreage needs to be claimed. 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:

September 26, 2008 **5:00 pm** **Deadline to file Amended Director's Report**

October 24, 2008 **5:00 pm** **Deadline to file Objection**

November 21, 2008 . 5:00 pm **Deadline to file Response**

January 14, 2009

2:30 pm

Status Conference

Location: Snake River Basin Adjudication

253 3rd Ave. North

Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conference by dialing 1-225-383-1099 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the Clerk's office at (208)736-3011.

DATED: August 29, 2008.


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 29, 2008, with sufficient first-class postage to the following:

C M FULLMER IRRIGATION
SYSTEMS INC
C/O VAL LOFTHOUSE
1618 S PIONEER RD
IDAHO FALLS, ID 83402
Phone: 208-522-5417

CM FULLMER IRR SYSTEMS INC
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