

2008 OCT -2 PM 3: 04

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.: 37-457A          |
|                | ) |                               |
|                | ) |                               |

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**I. PROCEDURAL BACKGROUND**

An Initial Hearing was held on September 19, 2008. At the hearing, counsel Thomas Robertson made an oral *Motion to Amend the Claim*.

**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. Robertson explained that the claim needs to be amended to more accurately describe this water right.

No parties to the SRBA opposed the *Motion*, and there is no showing prejudice would result from allowing the amended claim. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

IT IS ORDERED that the following deadlines shall govern further proceedings

|                    |         |                                            |
|--------------------|---------|--------------------------------------------|
| September 30, 2008 | 5:00 pm | Deadline to File Amended Director's Report |
|--------------------|---------|--------------------------------------------|

|                  |         |                            |
|------------------|---------|----------------------------|
| October 28, 2008 | 5:00 pm | Deadline to File Objection |
|------------------|---------|----------------------------|

November 14, 2008

5:00 pm

Deadline to File Response

March 11, 2009

11:30 am

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. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: September 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 NOTICE OF CLAIM, SETTING SUBCASE DEADLINES AND STATUS CONFERENCE was mailed on October 02, 2008, with sufficient first-class postage to the following:

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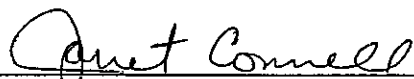
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