

RECEIVED
NOV 25 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 24 2008
By _____ Clerk Deputy Clerk

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.: 21-110, 21-111, 21-112,
and 21-2154**

I. PROCEDURAL BACKGROUND

A *Motion to File an Amended Notice of Claim* was filed for water rights 21-110, 21-111, and 21-112 by North Fork Reservoir Company on July 7, 2008. A hearing was held on November 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

North Fork Reservoir Company explained that the *Motion to File Amended Notice of Claim* was necessary to account for the changes which occurred to long time water rights when a reservoir was constructed. There were certain changes to these water rights when they changed from natural flow to storage. The North Fork Reservoir Company seeks to amend its claims to reflect those facts.

There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted** for 21-110, 21-111, and 21-112. IT IS ORDERED that the following deadlines shall govern further proceedings:

December 31, 2008	5:00 pm	Deadline to file Amended Director's Report
January 28, 2009	5:00 pm	Deadline to file Objection
February 13, 2009	5:00 pm	Deadline to file Response

The following deadline shall govern further proceedings for all the above listed subcases:

June 10, 2009

10:00 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: November 24, 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 DEADLINES was mailed on November 24, 2008, with sufficient first-class postage to the following:

NORTH FORK RESERVOIR CO

Represented by:

JERRY R. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

F DAVE RYDALCH

Represented by:

RAY W. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098