

RECEIVED

DEC 05 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC - 3 2008

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
AMEND OBJECTION

SUBCASE NO.: 37-415

I. PROCEDURAL BACKGROUND

A *Notice of Errata and Motion to Amend Objection* was filed by Sinclair Oil Corporation dba Sun Valley Company (hereafter Sun Valley) on November 14, 2008. There was no opposition to the *Motion*.

II. STANDARD OF REVIEW

Although the court has discretion in allowing amendments, I.R.C.P. 15(a) establishes that "leave shall be freely given when justice so requires." Rule 15(a) establishes a rather lenient standard for amending pleadings.

Sun Valley filed the *Notice of Errata and Motion to Amend Objection* in order to correct a clerical error in its November 13, 2007 *Objection*. The *Objection* inadvertently misidentifies Sun Valley's claimed irrigation place of use. The *Objection* did not identify the irrigation place of use set forth in the *Amended Notice of Claim*, but mistakenly identified the place of use in the original *Notice of Claim*.

III. FINDINGS

No parties objected to the *Motion*. The court finds that the *Notice of Errata and Motion to Amend Objection* asserts a valid request to amend the existing *Objection*. Pursuant to I.R.C.P. 15(a), Objectors will be allowed to amend their *Objections*.

THEREFORE, IT IS ORDERED that the *Motion to Amend Objection* is **granted**.

DATED: December 3, 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 AMEND OBJECTION was mailed on December 03, 2008, with sufficient first-class postage to the following:

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL CO
BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

BARKER LIVING TRUST
CHANEY CREEK RANCH LLC
CHARLES L MATTHIESEN
CHARLES T FOLEY
EAGLE CREEK IRRIGATION CO
ECD INC
ELISE G LUFKIN
GIMLET PROPERTY OWNERS ASSN
GREGORY RANCH LLC
LAKE CREEK MEADOWS HOMEOWNERS
MICHAEL E WILLARD
MICHAEL ENGL
MYER BERLOW
RALPH W & KANDI L GIRTON
RIVER ROCK RANCH LP
RIVERS EDGE ASSOCIATES LLC
ROY R WOODS
STEVEN D HOLZMAN TRUST
THE GULCH TRUST
THE R DANIEL OLMSTEAD
WILLIAM B GORDON

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

NEWFOUNDLAND PARTNERS
SINCLAIR OIL CORPORATION

Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

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


Deputy Clerk