

DEPARTMENT OF  
WATER RESOURCES

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

FEB 13 2009

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 NOTICE OF CLAIM,  
SETTING SUBCASE DEADLINES AND  
STATUS CONFERENCE**

**SUBCASE NO.: 37-20932**

## I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by the Idaho Department of Lands on February 6, 2009. A hearing was held on the *Motion* on February 11, 2009.

## 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 Idaho Department of Lands explained that it needs to amend the claim to more accurately describe this water right. Further review of the place of use has led the Idaho Department of Lands to conclude that the original claim incorrectly described the place of use.

No parties to the SRBA opposed the *Motion*, and there is no showing prejudice would result from allowing the amended claim. 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

|                       |                |                                            |
|-----------------------|----------------|--------------------------------------------|
| <b>March 27, 2009</b> | <b>5:00 pm</b> | Deadline to File Amended Director's Report |
| <b>April 24, 2009</b> | <b>5:00 pm</b> | Deadline to File Objection                 |
| <b>May 15, 2009</b>   | <b>5:00 pm</b> | Deadline to File Response                  |

July 22, 2009

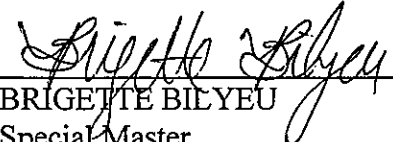
2:30 pm

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: February 13, 2009.

  
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 February 13, 2009, with sufficient first-class postage to the following:

STATE OF IDAHO DEPT OF LANDS

Represented by:

STATE OF IDAHO

JRW BUILDING, SECOND FLOOR

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STATE OF IDAHO

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