

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

FEB 20 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 CLAIM AND SETTING SUBCASE DEADLINES

SUBCASE NO.: 22-46A

I. PROCEDURAL BACKGROUND

A Status Conference was held on February 18, 2009. At the hearing, Karl Kay made an oral *Motion to Amend the Claim*. There was no opposition to the *Motion*.

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

During discussions with IDWR, Mr. Kay determined that he should amend the claim. Mr. Kay hopes that the amendment will more accurately describe this water right. There was no opposition to the *Motion*. THEREFORE, the *Motion to File Amended Notice of Claims* is **granted** subject to the *Amended Claim* being filed.

IT IS ORDERED that the following deadlines shall govern further proceedings:

February 27, 2009 **5:00 pm** **Deadline to file Amended Director's Report**

March 27, 2009 **5:00 pm** **Deadline to file Objection**

April 17, 2009 **5:00 pm** **Deadline to file Response**

July 29, 2009

2:00 pm

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

DATED: February 20, 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 CLAIM AND SETTING SUBCASE DEADLINES was mailed on February 20, 2009, with sufficient first-class postage to the following:

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

IVAN KAY
KARL KAY
KARL R KAY
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