

DEPARTMENT OF
WATER RESOURCES

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

MAR 26 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, SETTING DEADLINES AND STATUS CONFERENCE

SUBCASE NOS.: 37-11852 and 37-11854

I. PROCEDURAL BACKGROUND

A Status Conference was held on March 18, 2009. At the hearing, claimants Christopher Flanigan and Exchange 05-3097 LLC made an oral *Motion to File Amended Notice of Claims*. 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

The claimants explained that it needs to amend the claims to more accurately describe these water rights. The claimants have found evidence to support changes to some of the elements of these rights.

There is no showing prejudice would result from allowing the amended claims. There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claims* is **granted** subject to written amended claims being filed.

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

March 30, 2009

5:00 pm

Deadline to File Amended Claims

April 24, 2009

5:00 pm

Deadline to File Amended Director's Report

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: March 26, 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, SETTING DEADLINES AND STATUS CONFERENCE was mailed on March 26, 2009, with sufficient first-class postage to the following:

CHRISTOPHER FLANIGAN
CHRISTOPHER FLANIGAN AND
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