

DEPARTMENT OF
WATER RESOURCES

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

MAR 27 2009

By _____
DISTRICT OF THE _____
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.: 37-2709, 37-2722, and 37-7147

I. PROCEDURAL BACKGROUND

A Scheduling Conference was held on March 18, 2009. At the hearing, claimant Sun Valley Water & Sewer District made oral *Motions to File Amended Notice of Claims* for water rights 37-2709 and 37-7147. There was no opposition to the *Motions*.

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 claimant explained that it needs to amend the claims to more accurately describe these water rights. IDWR asked whether the purpose of use for 37-2709 should be claimed as municipal . A municipal right could require an amended description for the place of use. In addition, the claimant may have evidence to support an earlier priority and an additional point of diversion for 37-2709. The claimant and the United States are looking at a possible correction to the place of use for 37-7147 which would require an amended claim.

There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claims* is **granted** for water rights 37-2709 and 37-7147 subject to written amended claims being filed.

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

April 30, 2009

5:00 pm

Deadline to File Amended Claims

May 29, 2009 5:00 pm Deadline to File Amended Director's Report

June 30, 2009 5:00 pm Deadline to File Objection

July 17, 2009 5:00 pm Deadline to File Response

September 2, 2009 1:30 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: March 27, 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 27, 2009, with sufficient first-class postage to the following:

SUN VALLEY WATER & SEWER DIST

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UNITED STATES OF AMERICA

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