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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 26 2009
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	)	ORDER GRANTING MOTION TO
	)	FILE AMENDED NOTICE OF CLAIM
Case No. 39576	)	AND SETTING SUBCASE DEADLINES
	)	
	)	SUBCASE NO.: 23-11H

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Lynn Dixon on May 13, 2008. The claimant requested no oral argument on this issue because this subcase is part of a group of subcases split from original water right no. 23-11.

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

Lynn Dixon explained in his *Motion* that the number of acres claimed is less than the original acreage, but it has come to the attention of the claimant that the diversion rate per acre calculation underclaimed the quantity that should be allowed per acre.

No parties to the SRBA opposed the *Motion*, and there is no showing prejudice would result from allowing the amended claim. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

IT IS ORDERED that the following deadlines shall govern further proceedings

May 29, 2009	5:00 pm	Deadline to File Amended Director's Report
July 24, 2009	5:00 pm	Deadline to File Objection
August 21, 2009	5:00 pm	Deadline to File Response

DATED: May 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 NOTICE OF CLAIM AND SETTING SUBCASE DEADLINES was mailed on May 26, 2009, with sufficient first-class postage to the following:

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