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MAY 28 2009

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

MAY 26 2009

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) ORDER GRANTING MOTION TO
) FILE AMENDED NOTICE OF CLAIM
) AND SETTING SUBCASE DEADLINES

) SUBCASE NO.: 23-11J
)

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

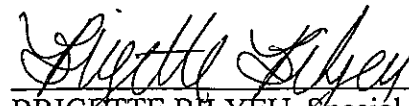
Lynn Dixon explained in his *Motion* that the number of acres claimed is less than the original acreage, but it has come to the attention of the claimant that the diversion rate per acre calculation underclaimed the quantity that should be allowed per acre.

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

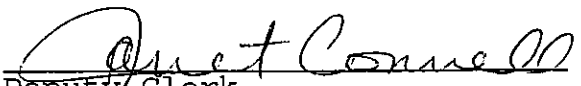
CERTIFICATE OF MAILING

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:

LYNN DIXON

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