

DEPARTMENT OF  
WATER RESOURCES

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

JUN 12 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 AMEND CLAIM, MOTION TO  
WITHDRAW OBJECTION, VACATE  
TRIAL AND SET STATUS  
CONFERENCE**

**SUBCASE NO.: 22-13511**

## I. PROCEDURAL BACKGROUND

A Pretrial Conference was held on June 3, 2009. At the hearing, counsel T.J. Budge explained the recent history of this subcase. An NCAP filed June 2, 2009 changed the ownership from Duane and Jean Kunz to Teton Rainbow Ranch, Inc. Mr. Budge filed a *Notice of Appearance* for Teton Rainbow Ranch, Inc., and explained on the record that the correct corporate name is Teton Rainbow Ranches, Inc. In addition, Teton Rainbow Ranches, Inc. filed a *Motion to Amend Claim*.

The *Motion to Amend Claim* seeks to more accurately describe this claim and to add acreage to the place of use. The Objector, Craig Kunz, did not oppose the *Motion to Amend Claim*, and Mr. Kunz subsequently withdrew his *Objection*. There was no opposition to the withdrawal of the *Objection*. The court **granted** the *Motion*, and dismissed Mr. Kunz's *Objection*.

## II. FINDINGS

IT IS ORDERED that the *Motion to Amend Claim* is **granted**. Deadlines for the amended claim will be set at the next Status Conference.

IT IS FURTHER ORDERED that the *Objection* filed by Craig Kunz is **dismissed with prejudice**. Mr. Kunz is therefore **dismissed** as a party to this subcase.

The trial set on June 17, 2009 will be **vacated**, and a Status Conference will be set.

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

|                |               |         |               |
|----------------|---------------|---------|---------------|
| <b>VACATED</b> | June 17, 2009 | 1:30 pm | Trial (½ day) |
|----------------|---------------|---------|---------------|

June 17, 2009

1:30 pm

Status Conference

Location: Snake River Basin Adjudication  
253 3<sup>rd</sup> Ave. North  
Twin Falls, Idaho 83301

Parties may participate by telephone 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: June 12, 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 AMEND CLAIM, MOTION TO WITHDRAW OBJECTION, VACATE TRIAL AND SET STATUS CONFERENCE was mailed on June 12, 2009, with sufficient first-class postage to the following:

TETON RAINBOW RANCH  
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