

DEPARTMENT OF
WATER RESOURCES

JUL 14 2009

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WATER RESOURCES

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

JUL 10 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 NOTICE OF CLAIM,
SETTING SUBCASE DEADLINES AND
STATUS CONFERENCE**

SUBCASE NO.: 37-2103

I. PROCEDURAL BACKGROUND

An Initial hearing was held on July 1, 2009. At the hearing, Danny & Valerie Vanhorn made an oral *Motion to File Amended Notice of Claim*. 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

Gary Slette, counsel for the claimants, explained that the Vanhorns need to amend the claim to more accurately describe this water right. In addition, IDWR indicated it would like to further investigate the point of diversion and source elements. No parties to the SRBA opposed the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted** subject to a written amended claim being filed.

IT IS ORDERED that the following deadlines shall govern further proceedings

July 17, 2009 **5:00 pm** **Deadline to file Written Amended Claim**

August 28, 2009 **5:00 pm** **Deadline to File Amended Director's Report**

September 30, 2009	5:00 pm	Deadline to File Objection
October 23, 2009	5:00 pm	Deadline to File Response
January 13, 2010	2:30 pm	Status Conference

Location: Snake River Basin Adjudication
253 3rd 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: July 10, 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, SETTING DEADLINES AND STATUS CONFERENCE was mailed on July 10, 2009, with sufficient first-class postage to the following:

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