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OCT 22 2009

DEPARTMENT OF
WATER RESOURCES

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

OCT 21 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

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

SUBCASE NOS.: 37-2688 and 37-11950

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Lava Lake Land & Livestock for water rights 37-2688 and 37-11950 on October 15, 2009. The claimant requested that no hearing be held.

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

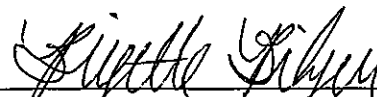
The *Motion* states that the permissible place of use, but not the irrigated acres, should be increased to accurately describe the water right.

There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted** for 37-2688 and 37-11950.

IT IS ORDERED that the following deadlines shall govern further proceedings for 37-2688, and 37-11950 as previously set for other related rights:

April 30, 2010	5:00 pm	Deadline to file Amended Director's Report
May 14, 2010	5:00 pm	Deadline to file Objection
June 11, 2010	5:00 pm	Deadline to file Response

DATED: October 21, 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 AND SETTING SUBCASE DEADLINES was mailed on October 21, 2009, with sufficient first-class postage to the following:

LAVA LAKE LAND & LIVESTOCK LLC

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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DEPARTMENT OF
WATER RESOURCES

2009 OCT 21 AM 09:31
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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 VACATING
	)	STATUS CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 22-04157

All parties to the above subcase(s) executed and filed a Stipulation/Standard Form 5 for the above water right(s). Since all parties to the above subcase(s) have reached an agreement as to all elements of the above water right(s) as set forth in the Stipulation/Standard Form 5, IT IS ORDERED that the STATUS CONFERENCE set for Friday, November 20, 2009 at 11:00 AM (MT), is vacated.

IT IS SO ORDERED.

Dated: October 21, 2009

/S/ BRIGETTE BILYEU

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER VACATING STATUS CONFERENCE was mailed on October 21, 2009, with sufficient first-class postage to the following:

ELLIOTT CREEK RANCH LLC

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

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