

RECEIVED
SEP 01 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 31 2010	
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	)	ORDER GRANTING MOTION TO
	)	AMEND CLAIM, SETTING
Case No. 39576	)	DEADLINES AND STATUS
	)	CONFERENCE
	)	
	)	SUBCASE NOS.: 37-2446, 37-4100,
	)	37-4368B, 37-4369, 37-21614, and
	)	37-22128

I. PROCEDURAL BACKGROUND

A Scheduling Conference was held on August 25, 2010. At the hearing, Sun Valley Land & Minerals made an oral *Motion to Amend* Claim for 37-22128.

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

Sun Valley Land & Minerals explained that the claim needs to be amended to more accurately describe water right 37-22128. During discussions between the parties and IDWR, it became apparent that a small portion of the place of use went over onto a ¼ ¼ which was not identified in the claim. That will now be added to more accurately describe this right.

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** for 37-22128 subject to a written claim being filed.

IT IS ORDERED that the following deadlines shall govern further proceedings for 37-22128

August 31, 2010 **5:00 pm** Deadline to File Amended Director's Report

September 24, 2010 5:00 pm Deadline to File Objection

October 15, 2010 5:00 pm Deadline to File Response

IT IS ORDERED that the following deadline shall govern further proceedings for 37-

4100

September 24, 2010 5:00 pm Deadline for claimant to submit
information to IDWR

IT IS ORDERED that the following deadline shall govern further proceedings for all of
the above listed water rights:

November 15, 2010 5:00 pm Deadline to File Standard Form 5

December 15, 2010 3:30 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 1-215-446-0193 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: August 31, 2010.


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, SETTING DEADLINES AND STATUS CONFERENCE was mailed on August 31, 2010, with sufficient first-class postage to the following:

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

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

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

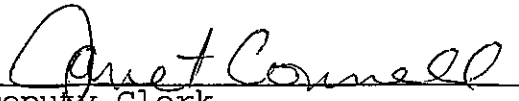
Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

SUN VALLEY LAND & MINERAL INC
SUN VALLEY LAND & MINERALS INC

Represented by:
EDWARD A LAWSON
LAWSON LASKI CLARK POGUE PLLC
675 SUN VALLEY RD STE A
PO BOX 3310
KETCHUM, ID 83340
Phone: 208-725-0055


Deputy Clerk