

RECEIVED

MAR 04 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR - 3 2011	
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 CLAIM AND
) SETTING SUBCASE DEADLINES

) SUBCASE NOS.: 37-745, 37-746, 37-2045,
) 37-2123, 37-2545A, 37-2545B, 37-2688,
) 37-2715, 37-2799, 37-4394, 37-7072, 37-
) 7600, 37-11936, 37-11950, 37-22116, AND
) 37-22117

I. PROCEDURAL BACKGROUND

A Status Conference was held on March 2, 2011. At the hearing, Lava Lake Land & Livestock made an oral *Motion to File Amended Notice of Claim* for water right 37-2799. 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

Lava Lake Land & Livestock explained that the claim needs to be amended to more accurately describe this water right. During a recent field exam conducted by the claimant, it was discovered that part of the place of use is within a ¼ ¼ section not claimed. In addition, it was discovered that a point of diversion was not included in the claim. Consequently, the claimant asked to file an amended claim. 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 for 37-2799:

March 18, 2011	5:00 pm	Deadline to File Written Amended Claim
April 28, 2011	5:00 pm	Deadline to File Amended Director's Report

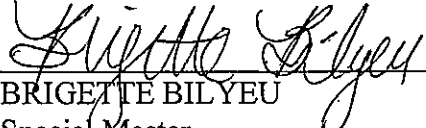
May 20, 2011	5:00 pm	Deadline to File Objection
June 10, 2011	5:00 pm	Deadline to File Response

IT IS FURTHER ORDERED that the following date is set for all the above listed subcases:

June 29, 2011	11:30 am	<u>Status Conference</u>
<u>Location:</u> Snake River Basin Adjudication 253 3 rd 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: March 3, 2011.



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 March 03, 2011, 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

LAVA LAKE LAND & LIVESTOCK LLC

Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

STATE OF IDAHO

Represented by:
DAVID J. BARBER
DEPUTY ATTORNEY GENERAL
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098