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DEPARTMENT OF  
WATER RESOURCES

5/24 eval

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| SEP - 6 2011                                                                            |
| By _____ Clerk<br>_____ 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 CLAIMS AND SETTING |
| Case No. 39576 | ) | NEW DEADLINES            |
|                | ) |                          |
|                | ) | SUBCASE NOS.: EXHIBIT A  |
| _____          | ) |                          |

I. PROCEDURAL BACKGROUND

Fremont Madison Irrigation District filed *Motions to File Amended Notice of Claim* on August 23, 2011. A hearing on the *Motions* was held August 31, 2011.

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

At the hearing, Fremont Madison Irrigation District explained that it wanted to amend its claims (subcases 21-24A, 21-26A, et. al.) to reflect the historic use as natural flow rights. The water rights were originally appurtenant to land which is now covered by the Island Park Reservoir. The U.S. Bureau of Reclamation claimed related rights in the area. (subcases 21-24, 21-26, et. al.) There were no motions to amend the claims for the U.S. Bureau of Reclamation subcases.

There was no opposition to the *Motion*, however, the United States noted that parties will still be able to file objections to the *Amended Director's Reports* if necessary. The *Motions to File Amended Notice of Claim* were **granted**.

The court had previously established deadlines for *Amended Directors Reports*, and for *Objections and Responses. Order Setting Deadlines, Status Conferences, and Trial Date* (Aug. 8, 2011). After the *Motions to Amend* were granted, the court set new deadlines which shall govern all further proceedings.

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

VACATED      September 21, 2011      2:00 pm      Status Conference

**November 30, 2011**      **5:00 pm**      Deadline to file Amended Director's Reports  
(Amended Director's Reports will not be filed in the U.S. Bureau of Reclamation subcases since no amended claims were filed for those subcases.)

**December 7, 2011**      **9:30 am**      Status Conference  
**Location:** Snake River Basin Adjudication  
253 3rd Ave. North  
Twin Falls, Idaho 83301

**January 6, 2012**      **5:00 pm**      Deadline to file Objection

**January 20, 2012**      **5:00 pm**      Deadline to file Response

**January 25, 2012**      **10:30 am**      Additional Status Conference  
**Location:** Snake River Basin Adjudication  
253 3<sup>rd</sup> Ave. North  
Twin Falls, Idaho 83301

**March 28-29, 2012**      **10:00 am**      Trial (1 day)  
**Location:** Snake River Basin Adjudication  
253 3rd Ave. North  
Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conferences by dialing 1-215-446-0193 and when prompted enter participant code 926509. If you have any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: September 6, 2011.

  
\_\_\_\_\_  
BRIGETTE BILYEU  
Special Master  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

21-00024  
21-00024A  
21-00026  
21-00026A  
21-00027  
21-00027A  
21-00120  
21-00120A  
21-00121  
21-00121A  
21-00122  
21-00122A  
21-00123  
21-00123A  
21-00124  
21-00124A  
21-00125  
21-00125A  
21-00126  
21-00126A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIMS AND SETTING NEW DEADLINES was mailed on September 05, 2011, with sufficient first-class postage to the following:

A & B IRRIGATION DISTRICT  
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MILNER IRRIGATION DISTRICT  
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FREMONT-MADISON IRRIGATION  
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UNITED STATES OF AMERICA  
USDI BUREAU OF RECLAMATION  
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