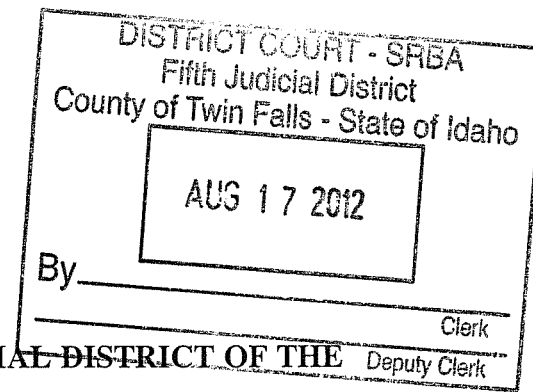


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DEPARTMENT OF
WATER RESOURCES



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
	)	FILE AMENDED CLAIM, SETTING
Case No. 39576	)	DEADLINES AND TRIAL DATE
	)	
	)	SUBCASE NOS.: 22-13853

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by Rex and RaNae Miller on July 30, 2012. A hearing was held on the *Motion* on August 15, 2012.

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

RaNae Miller explained that the claimants missed hearings on previous *Motions to File Amended Claims* due to serious health problems facing Rex Miller. In addition, RaNae Miller said the amended claim is based on a global settlement reached on subcases from Paradise Springs. The parties explained that the amended claim is based on a *pro rata* allocation of the old J.J. Miller right (22-405) out of the *Rexburg Decree*. This amended claim is consistent with other Paradise Springs rights which have *Special Master's Reports* or *Partial Decrees* already issued. The amended claim also relates to a recent late claim numbered 22-14051. Late claim 22-14051 is scheduled for hearing on Oct. 16, 2012.

There was no opposition to the *Motion*. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

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

October 30, 2012 **5:00 pm** Deadline to File Amended Directors Report

November 28, 2012 **5:00 pm** Deadline to File Objection

December 7, 2012	5:00 pm	Deadline to File Response
December 12, 2012	9:30 am	<u>Status Conference</u> Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301
February 6, 2013	9:30 am	<u>Pretrial Conference</u> Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301
February 13, 2013	10:00 am	<u>Trial (1 day)</u> Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conference and the Pretrial 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 17, 2012.



 BRIGETTE BILYEU
 Special Master
 Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING CONTINUED PRETRIAL CONFERENCE was mailed on August 17, 2012, with sufficient first-class postage to the following:

CC: CEDRON IRRIGATION LLC
CC: MAHOGANY RANCH HOLDINGS
CC: SHIVER, AL
CC: TETON RAINBOW RANCHES INC
CC: TREES, INC

Represented by:
THOMAS J BUDGE
201 E CENTER ST
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

CHESTER H MILLER
PO BOX 532
DRIGGS, ID 83422

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REX H MILLER
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MICHAEL REID
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VICTOR, ID 83455
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