

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
DEC 17 2015	
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 CSRBA

Case No. 49576

ORDER ON MOTION TO AMEND OBJECTIONS AND SETTING STATUS CONFERENCE

**SUBCASE NO.: 91-7726, 91-7862,
91-7866, 91-7868, 91-7884**

I. PROCEDURAL BACKGROUND

A *Motion to Amend Objections* was filed by the United States on November 16, 2015. A hearing was held on December 10, 2015.

II. STANDARD OF REVIEW

The CSRBA Court administrative rules establish that motions to amend claims “shall be freely given when justice so requires.” *CSRBA Administrative Order 1 (AO1)* § 4d (2) (d). However, *AO1* does not provide a standard for review of amendments to objections. I.R.C.P. 15(a) provides that pleadings may be amended and establishes that “leave shall be freely given when justice so requires.” Therefore, motions to amend objections shall be granted under the standard of I.R.C.P. 15(a).

III. FINDINGS

At the hearing on this *Motion*, the United States explained that previously, the State of Idaho filed late objections based on incorrect determinations of the quantity element. After the U.S. looked at the late objections, it learned that factual support for the quantity may be missing. Thus, the United States asserts a “meritorious position” exists to object to quantity.

There was no opposition to the *Motion*. Therefore, IT IS ORDERED that the *Motion to Amend Objections* is **granted**. The *Objections* will be file stamped December 10, 2015.

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

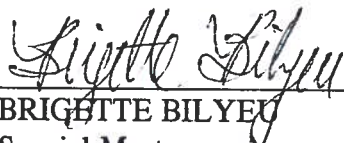
January 15, 2016 **5:00 pm (PT)** **Deadline to file Responses**

IT IS FURTHER ORDERED that the following date shall govern further proceedings:

January 27, 2016 **9:00 am (PT)** **Status Conference**
 10:00 am (MT) **Location: Idaho Water Adjudication Court**
 253 3rd Ave. North
 Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conference by dialing 1-720-279-0026 and when prompted enter Guest Code 476045#. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

Dated: December 17, 2015.



BRIGITTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTION TO AMEND OBJECTIONS AND SETTING STATUS CONFERENCE was mailed on December 17, 2015, with sufficient first-class postage to the following:

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Represented by:
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UNITED STATES OF AMERICA

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