

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 OBJECTION

SUBCASE NO.: 92-10502

I. PROCEDURAL BACKGROUND

An amended Objection was filed by Jeffrey Baker and lodged with the court on December 8, 2015. The Court treated the document as a *Motion to Amend Objection*. A hearing was held on December 9, 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 (A01)* § 4d (2) (d). However, *A01* does not provide a standard of review for 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, Mr. Baker explained that the proposed amended objection challenges the ownership element, as did the original *Objection*. The primary change is that Mr. Baker included a different attachment which provides additional information on the reasons for the objection. Mr. McInturff originally opposed the motion to amend, but since the amended objection raised the same question about ownership as the original *Objection*, he withdrew his opposition to the *Motion*. The Court understands that Mr. McInturff still opposes Mr. Baker's *Objection*.

There was no opposition to the *Motion*. Therefore, IT IS ORDERED that the *Motion to Amend Objections* is **granted**. The *Objection* will be file stamped December 9, 2015.

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

January 15, 2016

5:00 pm Deadline to file Response

Dated: December 17, 2015.



BRIGETTE 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 OBJECTION was mailed on December 17, 2015, with sufficient first-class postage to the following:

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