

RECEIVED

AUG 29 2022

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - PRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 24 2022

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By

Clerk

Deputy Clerk

In Re PRBA

Case No. 59576

) ORDER GRANTING MOTION TO
) FILE AMENDED CLAIM AND
) SETTING DEADLINES

) SUBCASE NO.: 87-10642
)

I. PROCEDURAL BACKGROUND

The Initial Hearing for this subcase was held July 28, 2022. The Court also heard the *Motion to File Amended Notice of Claim*. The Claimant failed to attend. The Initial Hearing and *Motion to file Amended Claim* were rescheduled to August 17, 2022. The Claimant failed to attend the rescheduled hearing on August 17, 2022.

II. STANDARD OF REVIEW

The PRBA administrative rules establish that motions to amend claims "shall be freely given when justice so requires." *PRBA Administrative Order 1 (A01)* § 4d (2) (d)

III. FINDINGS

At the hearing, IDWR explained that they contacted the claimant. IDWR said that it received updated well data which enabled it to consider amending the *Director's Report*. Accordingly, IDWR supported allowing the Amended Claim to go forward.

Under the standards of *A01*, motions to amend claims are to be freely given when justice so allows. No parties to the PRBA opposed the *Motion*, and there was no showing that prejudice would result from allowing the amended claim. Therefore, the *Motion to File Amended Notice of Claim* is **granted**.

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

September 16, 2022	5:00 pm	Deadline to File Amended Director's Report
October 21, 2022	5:00 pm	Deadline to File Objection
October 28, 2022	5:00 pm	Deadline to File Response

November 9, 2022

10:30 am (PT)
11:30 am (MT)

Status Conference

Location: Idaho Water Adjudication Court
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conference by dialing 1-720-279-0029 and when prompted enter guest code 476045#. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: August 24, 2022.


BRIGETTE BILYEU
Special Master
Palouse 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 DEADLINES was mailed on August 24, 2022, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

TONY JOHNSON
1010 SKYVIEW LOOP
MOSCOW, ID 83843


Deputy Clerk