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DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - PRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUN 11 2024                                                                               |              |
| 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 PRBA     | ) | ORDER GRANTING MOTION TO |
|                | ) | FILE AMENDED CLAIM AND   |
| Case No. 59576 | ) | SETTING DEADLINES        |
|                | ) |                          |
|                | ) | SUBCASE NO.: 87-10602    |

I. PROCEDURAL BACKGROUND

A Status Conference was held on June 5, 2024. At the hearing, counsel for the Osborns explained that new photographic evidence of the site showed the source may be groundwater. However, the right was originally claimed as a spring. Therefore, the Osborns seek to amend the Claim. The Osborns therefore moved to file an Amended Claim.

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, the claimant explained that the claim needed to be amended to change the source from a spring to groundwater. The requested amendment was based on photographs of the site and comparisons to other hand-dug wells.

No parties opposed the *Motion*. Under the standard of allowing that amendments to claims to be freely granted when justice so allows, the *Motion to File Amended Notice of Claim* is **granted**, on the condition that movant files an **SF3 and an attached amended claim by June 14, 2024**.

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

|                 |                                       |                                                               |
|-----------------|---------------------------------------|---------------------------------------------------------------|
| June 14, 2024   | 5:00 pm (MT)                          | Deadline to File SF3 with attached Amended Claim              |
| July 30, 2024   | 5:00 pm (MT)                          | <u>Deadline to File Amended Director’s Report</u>             |
| July 31, 2024   | <u>10:00 am (PT)</u><br>11:00 am (MT) | Status Conference<br>Location: Idaho Water Adjudication Court |
| August 21, 2024 | 5:00 pm (MT)                          | <u>Deadline to File Objection</u>                             |
| August 28, 2024 | 5:00 pm (MT)                          | <u>Deadline to File Response</u>                              |

September 4, 2024 10:00 am (PT)  
11:00 am (MT)

Status Conference  
Location: Idaho Water Adjudication Court

Parties may participate by the remote meeting application **ZOOM**. The instructions for ZOOM are attached to this Notice. Should you experience difficulty connecting to the hearing or need any assistance, contact the Court Clerk at 208-736-3011.

June 11, 2024.

  
BRIGETTE BILYEU  
Special Master  
Palouse River Basin Adjudication

## HOW TO ACCESS YOUR HEARING USING ZOOM:

You are receiving a notice for a Court Hearing that uses the remote Zoom meeting application. You may appear at this hearing using a telephone or online with a video or audio connection.

### How to Attend:

#### Online

<https://zoom.us/join>

Meeting ID: **927 2885 4357**

Password: **103900**

#### By Telephone

Toll free: (877) 853-5247 or (888) 788-0099

Meeting ID: **927 2885 4357**

Password: **103900**

### 1. How to join the meeting by telephone

- Dial the telephone number listed above.
- When prompted, enter the meeting ID provided above, followed by #.
- When prompted for a participant code (you will not have one), just enter #
- When prompted, enter the meeting password provided above, followed by #.
- More information on how to use a telephone when connecting to a Zoom meeting can be found here: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

### 2. How to join the meeting online

- In your browser enter the link <https://www.zoom.us/join>
- Enter the meeting ID provided above. You may see a spinning wheel while the connection is made.
- Follow the instructions on the screen to either download and install the Zoom client, or to join the meeting via your web browser.
- When prompted, enter the meeting password provided above.
- Once the connection is made, you will be placed in a Waiting Room. A message will appear "Please wait, the meeting host will let you in soon."
- When court begins, you will be brought into the meeting from the Waiting Room.

### 3. Video (when joining online)

- Start your video by clicking **Start Video**, located in the lower-left corner of the window.

### 4. Audio

- Your sound will be on mute upon entry.
- Remain muted unless you are asked to speak to the court. Please be sure you have no background noise while speaking. You may be muted or removed from the hearing if causing a disruption.
- To unmute yourself, click the **Unmute** button, located in the lower-left corner of the window.
- If joining only by telephone, press \*6 to toggle between unmute/mute.

### 5. Assistance

- Additional resources on how to use Zoom to participate in a remote court hearing can be found at <http://isc.idaho.gov/isc-zoom>.
- For questions regarding this remote hearing or the steps above, contact the Deputy Clerk of the Snake River Basin Adjudication District Court at 208-736-3011.

**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 June 11, 2024, with sufficient first-class postage to the following:

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