

2004 MAY -3 PM 4:13

TWIN FALLS CO., IDAHO
FILED

**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

Case No. 39576

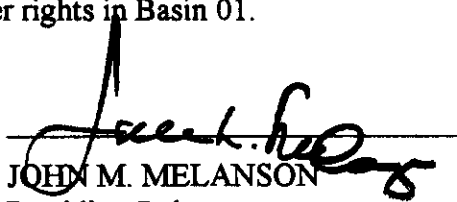
)
) **Consolidated Subcase: 37-02499 *et al.* and**
) **92-37**
)
)
) **ORDER SETTING STATUS**
) **CONFERENCE RE: DESIGNATING**
) **Basin-Wide Issue for General**
) **Provision Language and**
) **Subsequent Stay**

On February 24, 2003, this Court entered an ***ORDER RE: SUBMITTAL OF PROPOSED LANGUAGE ON REGARDS TO SWAN FALLS AGREEMENT***, which set forth specific deadlines for parties to subcase 37-02499 *et al* to conduct meetings and submit proposed language to the Court regarding the Swan Falls Agreement. The parties to the above subcase were unable to reach an agreement, and requested the matter be set for trial. On December 5, 2003, the Court issued an ***ORDER REDESIGNATING CONSOLIDATED SUBCASE 37-02499 ET AL AS CONSOLIDATED SUBCASE 92-37***, for purposes of addressing the issues relating to the absence of a General Provision regarding the Swan Falls agreement. At a scheduling conference on January 20, 2004, the State of Idaho and other parties to the case recommended that the matter be designated as a Basin-Wide Issue and then stayed pending further reporting of water rights by the Idaho Department of Water Resources. No motion has been filed by the parties regarding this proposal.

Therefore, IT IS ORDERED, that a Status Conference be set for the above subcase at 1:30 p.m. on June 15 at the Nez Perce County Courthouse

Commissioner's Building, 1225 Idaho Street, Lewiston, Idaho. Anyone wishing to participate by telephone may call 1-918-583-3445, then dial the participant code 406128. The purpose of the Status Conference will be to discuss the whether the General Provision issue should be designated as a Basin-Wide issue, and subsequently stayed pending the reporting of Idaho Power's water rights in Basin 01.

Dated May 2, 2004.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE RE DESIGNATING BASIN-WIDE ISSUE FOR GENERAL PROVISION LANGUAGE was mailed on May 03, 2004, with sufficient first-class postage to the following:

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HARRISON CANAL
IDAHO IRRIGATION DISTRICT
NEW SWEDEN IRRIGATION DISTRICT
NORTH FREMONT CANAL SYSTEMS
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PROPOSED LANGUAGE IN REGARDS
TO SWAN FALLS AGREEMENT

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