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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2004 MAY 5 PM 3 52

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

)
) Subcases 51-02002, *et al.* (Riddle Ranches,
) Inc.) and Consolidated Subcase 51-12756
) (Shoshone-Paiute Tribes)
)
) 2nd ORDER RE: US / SHOSHONE-
) PAIUTE TRIBES CONSUMPTIVE USE
) CLAIMS

The SRBA staff recently discovered that an additional 76 consumptive use claims, in Basin 51, described in the attached list are shown "at issue" on the Court's electronic record. That means that the 76 claims are **not** formally set for trial on January 13, 2005, along with subcases 51-02002, *et al.* (Riddle Ranches, Inc.) and Consolidated Subcase 51-12756 (Shoshone-Paiute Tribes). The claimant of the 76 consumptive use claims is the United States of America, as trustee on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation.

The reason for this discrepancy may be that the 76 consumptive use claims were not yet reported when former-Presiding Judge Daniel C. Hurlbutt, Jr., entered his *Amended Case Management Order: Federal and Tribal Non-Consumptive (Instream Flow) Claims* on April 1, 1996, Case No. 39576. However, it was clear from that *Order* that Judge Hurlbutt, and presumably the parties, intended that the non-consumptive use claims for the Duck Valley Indian Reservation would be litigated with the Duck Valley Indian Reservation consumptive use claims.

THEREFORE, IT IS ORDERED that unless a party submits in writing to the Court no later than **Friday, May 21, 2004**, good cause why the 76 consumptive use claims should not be tried along with the above Riddle Ranches and Shoshone-Paiute Tribes claims, the 76 claims will be heard at trial on January 13, 2005.

DATED May 5, 2004.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

UNITED STATES OF AMERICA AS TRUSTEE ON BEHALF OF THE SHOSHONE-
PAIUTE TRIBES OF THE DUCK VALLEY INDIAN RESERVATION

Subcase Nos:

51-12604	51-12858
51-12605	51-12859
51-12606	51-12860
51-12607	51-12861
51-12767	51-12862
51-12768	51-12863
51-12769	51-12864
51-12770	51-12865
51-12771	51-12866
51-12772	51-12867
51-12773	51-12868
51-12774	51-12869
51-12775	51-12870
51-12776	51-12871
51-12777	51-12872
51-12778	51-12873
51-12779	51-12874
51-12780	51-12875
51-12781	51-12876
51-12782	51-12877
51-12783	51-12878
51-12784	51-12879
51-12785	51-12880
51-12786	51-12881
51-12787	51-12882
51-12788	51-12883
51-12789	
51-12790	
51-12791	
51-12792	
51-12793	
51-12794	
51-12795	
51-12796	
51-12797	
51-12798	
51-12799	
51-12800	
51-12801	
51-12802	
51-12803	
51-12849	
51-12850	
51-12851	
51-12852	
51-12853	
51-12854	
51-12855	
51-12856	
51-12857	

76 CLAIMS

(Subcase list: 51SHOSHONE)
5/05/04

51-02002 ET AL

Subcase Nos:

51-02002
51-10293
55-02009
55-02016
55-02032
55-02035
55-02039
55-02063
55-02064
55-02076
55-02080
55-02129
55-02131
55-02169
55-02174
55-02175
55-02181
55-02210
55-02211
55-02435
55-07002
55-07009
55-13479
55-13480

(Subcase list: RIDDLELIST)
5/05/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the 2ND **ORDER RE: US/SHOSHONE-PAIUTE TRIBES CONSUMPTIVE USE CLAIMS** was mailed on May 5, 2004, with sufficient first-class postage to the following:

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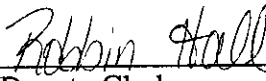
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