

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

2004 MAY 4 PM 4 49

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.); Consolidated Subcase 51-12756
) (Shoshone-Paiute Tribes) and 55-13491, *et*
) al. (US on behalf of Shoshone-Paiute
) Tribes)
)
) ORDER RE: US / SHOSHONE-PAIUTE
) TRIBES CONSUMPTIVE USE CLAIMS

The SRBA staff recently discovered that the 280 consumptive use claims in Basin 55 described in the attached list are shown "at issue" on the Court's electronic record. That means that the 280 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 280 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 280 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 280 consumptive use claims should not be tried along with the above Riddle Ranches and Shoshone-Paiute Tribes claims, the 280 claims will be heard at trial on January 13, 2005.

DATED May 4, 2004.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a large, stylized initial 'T'.

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

51-02002
51-10293
51-12756
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

EXHIBIT B

Subcase Nos:

55-13491	55-13550	55-13600	55-13691	55-13741	55-13791
55-13492	55-13551	55-13601	55-13692	55-13742	55-13792
55-13493	55-13552	55-13602	55-13693	55-13743	55-13793
55-13494	55-13553	55-13608	55-13694	55-13744	55-13794
55-13495	55-13554	55-13609	55-13695	55-13745	55-13795
55-13496	55-13555	55-13610	55-13696	55-13746	55-13796
55-13499	55-13556	55-13611	55-13697	55-13747	55-13797
55-13500	55-13557	55-13612	55-13698	55-13748	55-13798
55-13501	55-13558	55-13613	55-13699	55-13749	55-13799
55-13506	55-13559	55-13614	55-13700	55-13750	55-13800
55-13507	55-13560	55-13615	55-13701	55-13751	55-13801
55-13508	55-13561	55-13616	55-13702	55-13752	55-13802
55-13509	55-13562	55-13617	55-13703	55-13753	55-13803
55-13510	55-13563	55-13618	55-13704	55-13754	55-13804
55-13511	55-13564	55-13619	55-13705	55-13755	55-13805
55-13512	55-13565	55-13620	55-13706	55-13756	55-13806
55-13514	55-13566	55-13621	55-13707	55-13757	55-13807
55-13515	55-13567	55-13622	55-13708	55-13758	55-13808
55-13518	55-13568	55-13623	55-13709	55-13759	55-13809
55-13519	55-13569	55-13624	55-13710	55-13760	55-13810
55-13520	55-13570	55-13625	55-13711	55-13761	55-13811
55-13521	55-13571	55-13626	55-13712	55-13762	55-13812
55-13522	55-13572	55-13627	55-13713	55-13763	55-13813
55-13523	55-13573	55-13628	55-13714	55-13764	55-13814
55-13524	55-13574	55-13629	55-13715	55-13765	55-13815
55-13525	55-13575	55-13630	55-13716	55-13766	55-13816
55-13526	55-13576	55-13631	55-13717	55-13767	55-13817
55-13527	55-13577	55-13632	55-13718	55-13768	55-13818
55-13528	55-13578	55-13633	55-13719	55-13769	55-13819
55-13529	55-13579	55-13634	55-13720	55-13770	55-13820
55-13530	55-13580	55-13635	55-13721	55-13771	
55-13531	55-13581	55-13636	55-13722	55-13772	
55-13532	55-13582	55-13637	55-13723	55-13773	
55-13533	55-13583	55-13638	55-13724	55-13774	
55-13534	55-13584	55-13639	55-13725	55-13775	
55-13535	55-13585	55-13640	55-13726	55-13776	
55-13536	55-13586	55-13641	55-13727	55-13777	
55-13537	55-13587	55-13642	55-13728	55-13778	
55-13538	55-13588	55-13643	55-13729	55-13779	
55-13539	55-13589	55-13644	55-13730	55-13780	
55-13540	55-13590	55-13645	55-13731	55-13781	
55-13541	55-13591	55-13646	55-13732	55-13782	
55-13542	55-13592	55-13647	55-13733	55-13783	
55-13543	55-13593	55-13648	55-13734	55-13784	
55-13544	55-13594	55-13649	55-13735	55-13785	
55-13545	55-13595	55-13650	55-13736	55-13786	
55-13546	55-13596	55-13651	55-13737	55-13787	
55-13547	55-13597	55-13652	55-13738	55-13788	
55-13548	55-13598	55-13653	55-13739	55-13789	
55-13549	55-13599	55-13654	55-13740	55-13790	

(Subcase list: 55LIST)
5/04/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER RE: US/SHOSHONE-PAIUTE TRIBES CONSUMPTIVE USE CLAIMS was mailed on May 04, 2004, with sufficient first-class postage to the following:

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