

2004 JUL 8 PM 3 15

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) Subcases 41-00008B, 41-00008E,
Case No. 39576) 41-00013B and 41-10230
) (James J. Spillett and Robert R.
) and James V. Spillett)
)
) ORDER VACATING SETTINGS AND
) SETTING STATUS / SCHEDULING
_____) CONFERENCE

A status conference on the above 4 subcases was held by telephone July 8, 2004. Jason D. Walker appeared for James J. Spillett and Nicholas B. Spencer appeared for IDWR. Counsel agreed that the current settings for IDWR to file its I.R.E. 706 expert report and the trial must be vacated because James J. Spillett's pending motion to set aside *Partial Decrees* in related water rights 41-00008C (Taysom), 41-00008D (Weston), 41-00008E (Robert R and James V. Spillett) and 41-00008F (7UD Ranches) will not be heard until September – a month *after* the current trial date. Without a final determination of that motion, the pending subcases cannot be accurately and fairly heard.

THEREFORE, IT IS ORDERED that:

1. The deadline for IDWR to file its I.R.E. 706 expert report and the trial date are **vacated**, and
2. A status / scheduling conference will be held by telephone on **Thursday, October 28, 2004, 9:00 a.m.**

DATED July 8, 2004.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING SETTINGS AND SETTING STATUS/SCHEDULING CONFERENCE was mailed on July 08, 2004, with sufficient first-class postage to the following:

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