

2004 AUG 26 PM 3 47

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     | ) | ORDER SETTING MANDATORY    |
|                | ) | SETTLEMENT CONFERENCE      |
| Case No. 39576 | ) |                            |
|                | ) | SUBCASE NOS.: EXHIBIT A    |
|                | ) | (Marsh Valley Development) |

The court recognizes that formal litigation of subcases in the Snake River Basin Adjudication may impose an economic burden on parties. Settlement conferences often provide an opportunity to settle subcases and avoid a trial. These conferences can help open lines of communication, clarify issues, reveal the strengths and weaknesses of each party's legal position, identify areas of agreement and generate options for a mutually agreeable resolution of the dispute.

Each party and IDWR is required to be present with the individual having full settlement authority on every aspect of the contested subcase. Partnerships, corporations, limited partnerships, unincorporated associations and all governmental entities must have a responsible officer or partner with settlement authority in attendance, in addition to their attorney of record, unless written authority to settle has been given to the attorney and is presented to the Settlement Moderator. **Failure to attend or attendance without settlement authority may result in sanctions by the court.**

IT IS ORDERED that this subcase shall proceed with a SETTLEMENT CONFERENCE before The Honorable Judge Barry Wood, as follows:

|           |                                                                                                                                  |
|-----------|----------------------------------------------------------------------------------------------------------------------------------|
| DATE:     | November 10, 2004                                                                                                                |
| TIME:     | Wednesday 10:00 am - 5:00 pm                                                                                                     |
| LOCATION: | Theron W. Ward Judicial Building (Courtroom 1)<br>Twin Falls County Courthouse<br>427 Shoshone Street<br>Twin Falls, Idaho 83301 |

Dated: August 26, 2004

  
BRIGETTE BILYEU, Special Master  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-00047A  
29-00048  
29-00052  
29-00053  
29-00589  
29-04060  
29-04467  
29-10816  
29-13311  
29-13317  
29-13318  
29-13319

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING MANDATORY SETTLEMENT CONFERENCE was mailed on August 26, 2004, with sufficient first-class postage to the following:

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LAVA IRRIGATION CO., INC.

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Deputy Clerk