

Department of Water Resources

704 OCT 12 PM 1:11  
TWIN FALLS CO., IDAHO  
FILED *Jm*

**Case No. 39576**

**FOR WATER RIGHT: 78-12025**

- 1 -

23 2004 42-1411A(12) hearing before Special Master Thomas Cushman. The *Affidavit* appeared to show that the above water right was located on after-acquired land. At the hearing, it was noted that an *SF5* would be submitted in the above subcase.

On June 10, 2004 a *SF5/ Amended Claim* was submitted, which stated that the right was dual based with a June 28, 1934 state-based priority date and a PWR 107 priority date of April 17, 1926. No objections were filed to the *SF5*. The Court rescinded the *Order of Reference to Thomas R. Cushman* for the above rights.

## II.

### Status Conference.

It appears from the earlier proceedings and the file that all objections and responses have been resolved. However, it appears that the *Affidavit of Craig Johnson*, page 4, does not support a federal-reserve water right claim as shown in the *SF5*.

Therefore, IT IS ORDERED, that a **Status Conference and 42-1411A(12) hearing be set for 1:30 p.m. on December 21, 2004 at the Snake River Basin Adjudication Courthouse, 253 3rd Ave North, Twin Falls, Idaho.** Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted. The purpose of the Status Conference will be to hold a hearing in accordance with 42-1411A(12). It appears that affidavits have been filed in the above subcase. If any further affidavits are necessary, such shall be filed by December 15, 2004.

DATED: October 12, 2004

  
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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 was mailed on October 12, 2004, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

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STATE OF IDAHO

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ORDER

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Deputy Clerk