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**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 STATUS
	)	CONFERENCE AND 42-1411A(12)
Case No. 39576	)	HEARING
	)	
	)	FOR WATER RIGHT: 51-12044

I.

Procedural Background.

The above-captioned water right was claimed by the United States, Department of Interior, Bureau of Land Management (United States) as a dual-based stockwater right, meaning the right was claimed as a federal reserved water right pursuant to Public Water Reserve (PWR) 107 and alternatively as a state-law based right. The Idaho Department of Water Resources reported the state and federal claims in a *Director's Report*. The State of Idaho filed an objection, which was amended on October 23, 1998.

On December 11, 2003, a trial was held by Special Master Thomas Cushman. Affidavits pertaining to the right were filed in the above subcase. It is unclear from the record if Special Master Cushman found that the above right was a valid federal reserve water right. On June 10, 2004, a *Standard Form 5/Amended Claim* form was filed amending the priority date for the state-based claim in accordance with the agreement between the United States and the State of Idaho, and also correcting the claimed point of diversion. No objections were filed to the *SF5*.

Therefore, IT IS ORDERED, that a **Status Conference is set for 1:30 p.m. on December 14, 2004 at the Snake River Basin Adjudication Courthouse, 253 3rd Ave North, Twin Falls, Idaho.** Telephone participation will be available by calling 1-225-383-1099 and entering 675342 when prompted. The purpose of the Status Conference will be: (1) to determine

whether this right was found to be valid federal reserve water right by the Special Master, in accordance with 42-1411A(12); (2) if not, to hold a hearing in accordance with 42-1411A(12). Any affidavits in connection herewith shall be filed by December 10, 2004.

DATED: October 26 2004



THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE AND 42-1411A(12) HEARING was mailed on October 26, 2004, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

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Deputy Clerk