

W W Clyde & Co.



May 27, 2005

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707
ATTN: Janet

RE: Case No. 39576, Subcase 29-13406, 29-13407

Dear Janet:

Please file the enclosed additional documents with argument against the Motion to Enforce Settlement Agreement and bring the matter to the attention of Special Master Bilyeu.

Thank you for your assistance.

Sincerely

Brett Casperson

Brett Casperson by Norm Avery

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *jc*

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

Case No. 39576

ORDER SETTING MANDATORY
SETTLEMENT CONFERENCESUBCASE 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)
Twin Falls County Courthouse
427 Shoshone Street
Twin Falls, Idaho 83301

Dated: August *26*, 2004*Brigitte Bilyeu*
BRIGITTE 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

Dear Special Master Bilyeu

Mr. Casperson has request I
send the court a copy of
these documents, he has not
been able to find any notice (in his file)
to him on the mandatory
attendance for the Twin Falls

Settlement Conference. His subcases
are not listed and questions
if he was ever notified.

He has also been unable to document
the subsequent mandatory meeting the were
mentioned in the motion.

This is all that Norm Avery
I have for
documentation