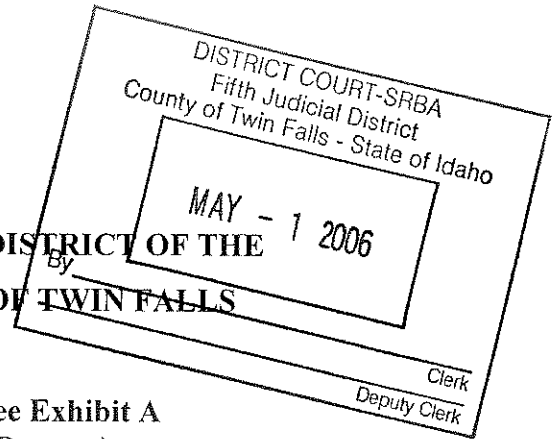


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS



In Re SRBA

Case No. 39576

RECEIVED
MAY 11 2006
DEPARTMENT OF
WATER RESOURCES

) Subcase Nos.: See Exhibit A
) (Portneuf River Decrees)
)
) ORDER GRANTING MOTION TO
) VACATE HEARING; ORDER
) DENYING MOTION TO
) CONSOLIDATE; ORDER SETTING
) STATUS CONFERENCE
)

This matter came before the Court on a *Motion to Vacate Hearing* on a *Motion to Alter or Amend Order of Partial Decrees on Portneuf River*. A hearing was held on the matter on April 18, 2006. The parties represented they were still in negotiations pertaining to the Portneuf River Settlement Agreement and requested that the Court reschedule a status conference in 60 days.

THEREFORE, IT IS ORDERED that based on the foregoing and for good cause shown, the *Motion to Vacate Hearing* is **granted**. The court finds that consolidation of the subcases is unnecessary and therefore the *Motion to Consolidate* is **denied**.

IT IS FURTHER ORDERED that a status conference on the *Motion to Alter or Amend Order of Partial Decrees on Portneuf River* is set to be heard on **Tuesday, June 20, 2006, at 1:30 p.m., at the Lemhi County Commission Annex, 210 Neyman, Salmon, Idaho**. Parties may participate by telephone by dialing the number 1-918-583-3445 and when prompted entering code 406128.

DATED May 1, 2006.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (PORTNEUF RIVER DECREES)

Subcase Nos:

29-00052
29-00053
29-00589
29-04060
29-04364
29-04467
29-10816
29-11277
29-11681
29-11773
29-11774
29-11775
29-13213
29-13279
29-13289
29-13299
29-13310
29-13311
29-13317
29-13318
29-13320
29-13321
29-13334
29-13363
29-13407
29-13521
29-13535
29-13536
29-13580
29-13581
29-13582
29-13583
29-13584
29-13586

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO VACATE HEARING; ORDER DENYING MOTION TO CONSOLIDATE; ORDER SETTING STATUS CONFERENCE was mailed on May 01, 2006, with sufficient first-class postage to the following:

INDIAN FALLS PROPERTY ASSN
INDIAN FALLS WATER USERS ASSOC

Represented by:
CRAIG W. PARRISH
PO BOX 4321
POCATELLO, ID 83205
Phone: 208-234-1202

MC CAMMON DITCH CO LTD
MCCAMMON DITCH COMPANY

Represented by:
JAMES A. SPINNER
PO BOX 6009
POCATELLO, ID 83205
Phone: 208-232-4471

AMBER HALL
EVELEE HILL RUSH
JASON AND AMBER HALL
JASON HALL
JEFFERY F HARRIS
LAVA IRRIGATION CO INC
LAVA IRRIGATION COMPANY
MAX W HALL
NATALIE GUNTER
ROBEN HULL
ROBERT E RUSH
RUSSELL GUNTER

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CARROLL & IONE WILLMORE ESTATE

Represented by:
KENT W FOSTER
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

MARSH VALLEY DEVELOPMENT INC
PORTNEUF MARSH VALLEY CANAL CO

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

PORTNEUF IRRIGATING CO
PORTNEUF IRRIGATING COMPANY

Represented by:
RANDOLPH CALVIN STONE
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382

I GLENN PERKINS
MARY D PERKINS

Represented by:
RONALD J. JARMAN
PO BOX 6252
POCATELLO, ID 83205-6252
Phone: 208-233-8421

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DEMPSEY IRRIGATION COMPANY
C/O EARL SMITH
PO BOX 235
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5348

TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5280

(Certificate of mailing continued)

FISH CREEK IRRIGATING CO
C/O WALLACE WHITEHEAD
PO BOX 152
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5253

FAGNANT & OLSON RANCH LLC
FRANCES GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5290

LAVA IRRIGATION CO INC
PO BOX 182
LAVA HOT SPRINGS, ID 83246

PORTNEUF IRRIGATING CO
PO BOX 194
ARIMO, ID 83214
Phone: 208-254-9022

RONNIE D TILLOTSON
SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5267

DAVID LEE LOSEE
PO BOX 27
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5630

RUSSELL AND NATALIE GUNTER
PO BOX 433
MCCAMMON, ID 83250
Phone: 221-4682

CANDICE SYMONS
LYNDEN SYMONS
PO BOX 604
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5316

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CARL L PHILLIPS
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN, ID 83210
Phone: 208-397-4690

BARBARA W KEVAN
3462 N 2500 E
TWIN FALLS, ID 83301
Phone: 208-733-5730

MARK J MADSEN
5812 E OLD OREGON TL ROAD
LAVA HOT SPRINGS, ID 83246

COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5380

LYNN W STEWART
MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-9770

BRETT CASPERSON
NANCY CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5428

