

REC-11
JUN 11
DEPARTMENT
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 JUN 11 AM 11 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) Subcases 63-05207, 63-03285A,
Case No. 39576) and 63-03321A
)
) PRETRIAL ORDER
)
_____)

A pretrial conference was held in the above-captioned subcases on June 5, 2007. Participating in the conference were John Marshall, attorney for claimant/objector Cartwright Ranch, LLC, and Andrea Courtney, Deputy Attorney General for the Idaho Department of Water Resources. This *Pretrial Order* is issued based upon the comments of counsel at the conference, and pursuant to I.R.C.P. 16(f).

It is the understanding of this Special Master that the all issues involving subcases 63-03285A and 63-03321A -- which are claims to groundwater and based upon licenses - - have been resolved, and the only factual issues remaining to be tried are the place of use and rate of diversion in subcase 63-05207 -- which is a claim for surface water and based upon beneficial use. It is further the understanding of this Special Master that an agent from IDWR intends to perform a field examination prior to trial for the purpose of viewing potential evidence that may be indicative of the historical extent of the use of water on the property.

IT IS ORDERED that no later than **June 19, 2007**, IDWR shall provide to the claimant/objector, and file with the court, a brief report of the matters that are expected to be included in the testimony of its agent at trial. This report shall include a list of all exhibits to be offered at trial.

IT IS FURTHER ORDERED that no later than **June 19, 2007**, the claimant/objector shall provide to IDWR, and file with the court, a list of all exhibits to

be offered at trial, and a list of the names and addresses of all witnesses which may be called to testify at trial.

Dated June 11, 2007



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PRE-TRIAL ORDER was mailed on June 11, 2007, with sufficient first-class postage to the following:

CARTWRIGHT RANCH LLC
Represented by:
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DIRECTOR OF IDWR
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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.