

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 SEP 25 PM 3 27

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: 63-29710, 63-29713, 63-29714,
	)	63-29715, 63-29716, 63-29764, 63-29765,
	)	63-29766
Case No. 39576	)	2 ND MANDATORY SETTLEMENT
	)	CONFERENCE REPORT

The second mandatory settlement conference ordered by Special Master Theodore R. Booth in the above 8 subcases was held in Boise, Idaho, on September 19, 2007. The settlement moderator was Terrence A. Dolan, SRBA Special Master in other basins. A list of those who attended the conference and their interests is noted on the attached conference checklist.

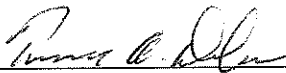
The conference lasted 2 hours 45 minutes. The parties examined historical documents recently provided by the United States and discussed a proposed settlement letter from David Gehlert. No final resolution was reached, but the parties earnestly explored such issues as the form of any final settlement and administration of the rights.

The parties generally agreed that one last mandatory settlement conference in a month or so is warranted and they may request that it be moderated again. Also, some parties felt a representative of IDWR at the final settlement conference might be useful to discuss any settlement documents and administration of the rights.

In the opinion of the settlement moderator, settlement should be expected in light of the narrow width of disagreement and technical complexity of issues. In addition, the parties are all

working diligently and in good faith to reach an accord that will accommodate all interests and be administrable within current and future expected usage.

DATED September 21, 2007.



TERRENCE A. DOLAN
Settlement Moderator
Snake River Basin Adjudication

SETTLEMENT CONFERENCE
Federal Reserved Groundwater Claims
General Order No. 10, April 9, 1873

Wednesday, September 19, 2007, 12:00 noon
Offices of the Idaho Attorney General
LBJ Building
650 W. State Street
Boise, ID
Settlement Moderator – Terrence A. Dolan

Claimants

US / Army Reserve

US / Department of Veteran Affairs

David Gehlert
Derek Shoup

US / GSA

US / GS

David Negri
Jack Hockberger
Kathleen M. Carr
Stan Catchpole – US / GSA
Kathy Peter – US / GS
Steve Lipscomb – US / GS

Objectors / Respondents

State of Idaho

David I. Stanish
Joanna L. Guilfooy

Boise Warm Springs Water District

Bruce M. Smith
Carl Withrue

The Terteling Co., Inc.

Charles L. Honsinger
J.L. Terteling
A.J. Terteling

Edwards Family LLC

Dana L. Hofstetter

City of Boise

Robert A. Maynard
Kent Johnson – Public Works

- 63-29710** **US / Army Reserve (.92 cfs, year-'round heating)**

State of Idaho
Boise Warm Springs Water District

The Terteling Co., Inc.
Edwards Family LLC
- 63-29713** **US / Department of Veteran Affairs (2.76 cfs, year-'round heating)**

State of Idaho
Boise Warm Springs Water District

The Terteling Co., Inc.
Edwards Family LLC
- 63-29714** **US / Department of Veteran Affairs (2.23 cfs, year-'round domestic & irrigation of 32 acres from March 15 to November 15)**

State of Idaho
Boise Warm Springs Water District

Edwards Family LLC
- 63-29715** **US / GSA (4.01 cfs, year-'round heating)**

State of Idaho
Boise Warm Springs Water District

The Terteling Co., Inc.
Edwards Family LLC
- 63-29716** **US / GS (.24 cfs, year-'round heating)**

State of Idaho
Boise Warm Springs Water District

The Terteling Co., Inc.
Edwards Family LLC

63-29764 US / Army Reserve (.0012734 cfs, "Army Reserve Center activity")

State of Idaho
Boise Warm Springs Water District

Edwards Family LLC

63-29765 US / GSA (.38 cfs, year-'round commercial, industrial & domestic uses & irrigation of 6 acres from March 15 to November 15)

State of Idaho
Boise Warm Springs Water District

Edwards Family LLC

63-29766 US / GS (1.2 cfs, year-'round commercial, industrial & domestic uses & irrigation of 5 acres from March 15 to November 15)

State of Idaho
Boise Warm Springs Water District

Edwards Family LLC

CERTIFICATE OF MAILING

I certify that a true and correct copy of the 2ND MANDATORY SETTLEMENT CONFERENCE REPORT was mailed on September 25, 2007, with sufficient first-class postage to the following:

BOISE WARM SPRINGS WATER DIST

Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

THE TERTELING CO INC

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

EDWARDS FAMILY LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CITY OF BOISE

Represented by:
ROBERT A. MAYNARD
PERKINS COIE LLP
251 E FRONT ST, STE 400
BOISE, ID 83702-7310
Phone: 208-343-3434

UNITED STATES OF AMERICA

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