

RECEIVED

NOV 1 2007
DEPARTMENT OF
WATER RESOURCES

2007 NOV -1 PM 2:39

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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 MANDATORY**
) **SETTLEMENT CONFERENCE**

Case No. 39576)
) **SUBCASE NOS.: 29-13728**
)
)

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.

Settlement Statement- Each party to these subcases shall submit a confidential "Settlement Statement" to Settlement Moderator Theodore R. Booth on or before **November 15, 2007**. The contents of the settlement statement shall not be disclosed by the Settlement Moderator to the other parties, the Court, or to Special Master Bilyeu except with the express consent of the parties. The settlement statements shall not be filed with the Court or the Special Master and shall be disposed of as Settlement Moderator Booth deems appropriate. The settlement statement shall contain the following information:

1. Identify the person(s) in addition to counsel of record, who shall attend the session with settlement authority.

2. The claimant shall disclose the legal and factual bases of his claim. (Please limit this disclosure to 5 pages including attachments)
3. The objector shall disclose the legal and factual bases of his objections. (Please limit each disclosure to 5 pages including attachments)
4. The Respondent shall disclose the legal and factual bases of its response (Please limit each disclosure to 5 pages including attachments)
5. Each party shall summarize the facts that are now settled or resolved and shall summarize those facts that remain in dispute.
6. Parties are encouraged to bring additional documents, maps or other information that may be helpful in the settlement discussions.

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 Settlement Moderator Theodore R. Booth, as follows:

DATE: Friday - November 16, 2007
TIME: 1:00 pm
LOCATION: Snake River Basin Adjudication
Location: District Court Room
253 3rd Ave. North
Twin Falls, Idaho 83301

Dated: November 1, 2007.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

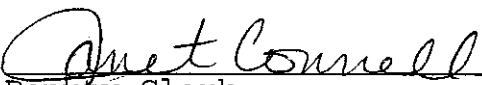
I certify that a true and correct copy of the ORDER SETTING MANDATORY SETTLEMENT CONFERENCE was mailed on November 01, 2007, with sufficient first-class postage to the following:

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

LARUE WHITWORTH
MAX T WHITWORTH
73 S INDIAN CREEK RD
INKOM, ID 83245
Phone: 208-775-3738

MAX & LARUE WHITWORTH
73 SOUTH INDIAN CREEK RD
INKOM, ID 83245
Phone: 208-775-3738

LEO D LEWIS
90 N INDIAN CREEK RD
INKOM, ID 83245
Phone: 208-233-4690


Deputy Clerk