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OCT 28 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 27 2008

By _____ Clerk:

Deputy Clerk:

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 75-04126, 75-10392, 75-10400,
Case No. 39576) 75-10603, 75-14531, and 75-14532
)
) SETTLEMENT CONFERENCE REPORT

On October 2, 2008, Special Master Dolan issued and *Order Setting Mandatory Settlement Conference and Scheduling Conference*, which ordered the parties to subcases 75-04126 and 75-10400 to attend a mandatory settlement conference on October 24, 2008. the participants in the settlement conference discussed some additional water right claims that may involve the same factual and/or legal issues that are involved in water right claims 75-04126 and 75-10400. The table below lists the participants who attended the settlement conference. All attendance was via telephone.

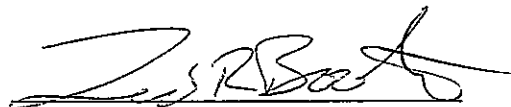
- 1) Susan Kozacek – claimant of contested water right 75-10400 and uncontested overlapping water right 75-10392.
- 2) Russell Kozacek – claimant of contested water right 75-04126.
- 3) Mitzi Felton – participating on behalf of Stuart Felton, who is the claimant of uncontested water right 75-10603.
- 4) Ann Heltsley – claimant of anticipated late claims 75-14531 and 75-14532.
- 5) Jerry Rigby – Attorney for Ann Heltsley and Stuart Felton.
- 6) Patrick Murphy – Objector in subcases 75-04126 and 75-10400.
- 7) Pat Hull – participating on behalf of Daryl Hull, who has lodged late objections in subcases 75-04126 and 75-10400.
- 8) Garrick Baxter – Idaho Deputy Attorney General for the Idaho Department of Water Resources.

9) Suzy Cooley-Denney – Idaho Department of Water Resources.

10) Theodore Booth – Special Master, Snake River Basin Adjudication, acting as settlement moderator.

The parties to the subcases and/or their respective attorneys participated in good faith. Although an agreement was not reached, the parties desire to continue negotiations and have agreed to reconvene the settlement conference on **Monday, December 8, 2008, at 10:00 AM Mountain Time**. Parties may participate by telephone by dialing 1-225-383-1099 and entering participant code 654400.

Dated Oct. 27, 2008



THEODORE R. BOOTH

Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SETTLEMENT CONFERENCE REPORT was mailed on October 27, 2008, with sufficient first-class postage to the following:

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