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AUG 16 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 13 2010
By _____ Clark
By _____ 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	)	Subcase 45-12827
	)	(USDI / BLM)
Case No. 39576	)	
	)	ORDER SETTING I.C. §42-1411A
	)	HEARING

A scheduling conference was held on August 5, 2010. Paul L. Arrington appeared for Gary and Michael Poulton and Scott Bedke; David L. Negri appeared for the United States of America, Department of Interior, Bureau of Land Management, along with Scott Beezer; and Nicholas B. Spencer appeared for IDWR.

Counsel for the United States said it will pursue the federal law basis of this dual-based claim.¹ The parties agreed a hearing to determine the federal law-basis of the claim should be set during which *all* pending objections and motions in the subcases will be resolved.

THEREFORE, IT IS ORDERED that:

1. The United States shall file affidavits in support of the federal law basis of its claim no later than **Tuesday, September 7, 2010**; and
2. The I.C. §42-1411A hearing shall be held on **Thursday, September 16, 2010, 1:30 p.m.** at the SRBA Courthouse, 253 3rd Avenue N., Twin Falls, Idaho. Parties may participate by telephone by dialing the number 1-215-446-0193 and when prompted entering code 654400. If you have any difficulty connecting to this call, call the SRBA Court immediately at 208-736-3011.

DATED August 13, 2010.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

¹ Executive Order, dated April 17, 1926, known as Public Water Reserve 107.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
I.C. 42-1411A HEARING was mailed on August 13, 2010, with sufficient
first-class postage to the following:

GARY POULTON
MICHAEL A POULTON
SCOTT BEDKE

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
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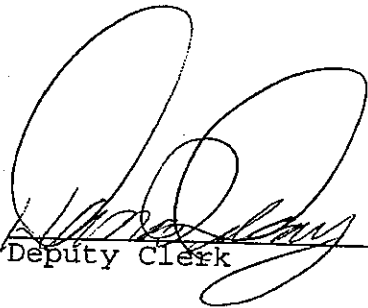
UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
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DIRECTOR OF IDWR
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ORDER

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Deputy Clerk