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OCT 13 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 12 2010
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

Case No. 39576

ORDER GRANTING MOTION TO
VACATE TRIAL AND SETTING
STATUS CONFERENCE

SUBCASE NO.: 37-22129

A Pretrial Conference was held on October 6, 2010. At the hearing, Point of Rocks Ranch LLC made an oral *Motion to Vacate Trial* because the claimant and IDWR had reached an agreement. There was no opposition to the *Motion*.

The agreement was placed on the record. Essentially, the claimant and IDWR agreed to a water right with a wildlife purpose of use during the non-irrigation season. The claimant and IDWR agreed that this water right use is based on artesian warm water. However, IDWR and the claimant cannot quantify the right until after the irrigation season has ended when the artesian flow recovers. The parties and IDWR agreed to have agent Doug Jones take a measurement in late winter or early spring. IDWR and the claimant agreed to accept that measurement for the quantity element.

Please be advised that Special Master Brigitte Bilyeu has set the following date in the above subcase:

April 6, 2011

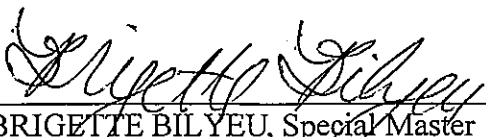
11:00 am

Status Conference

Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by telephone for the Status Conference by dialing 1-215-446-0193 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the clerk's office at (208)736-3011.

Dated: October 12, 2010.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO VACATE TRIAL AND SETTING STATUS CONFERENCE was mailed on October 12, 2010, with sufficient first-class postage to the following:

POINT OF ROCKS RANCH LLC

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

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


Deputy Clerk