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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 26 2010
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

) Subcase No: 27-11375
)
)
)
) ORDER SETTING STATUS AND
) SCHEDULING CONFERENCE
)
)

On October 25, 2010, the State of Idaho, by and through its counsel of record, filed a *Motion for An Accounting of All Water Rights Benefitting From the Subordination Provisions of the Fort Hall Consent Decree and Insertion of a Remark Memorializing that Benefit on Each Affected Water Right* in the above-captioned matter. The *Motion* raises the following issues: (1) "Whether it is necessary to memorialize the benefit of the subordination provision of the Fort Hall Decree on the affected water rights," and (2) "Whether it is necessary to wait until final decrees are issued by the SRBA Court to enumerate the rights benefitting from the subordination provisions as required by the Fort Hall Decree." Prior to a hearing on the merits of the *Motion*, this Court will take the below-mentioned steps to ensure that all affected parties have notice and the opportunity to respond to the *Motion*.¹

THEREFORE THE FOLLOWING ARE HEREBY ORDERED.

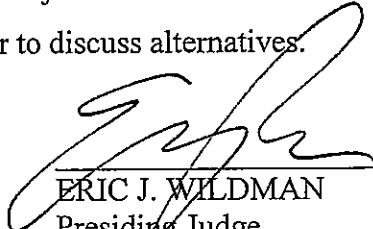
1. A status conference is set for **Monday, November 8, 2010, at 1:30 p.m. (Mountain Time)** at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by dialing 1-215-446-0193 and entering 406128# when prompted. Video teleconferencing ("VTC") will

¹ This *Motion* was noticed in subcase 27-11375 which is held on behalf of the Shoshone-Bannock Tribes pursuant to the Fort Hall Consent Decree. The Consent Decree was issued in 1995. The *Motion* was not noticed in the individual subcases to which the remark is intended to apply.

also be available by appearing at the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., Conference Rm. B, Boise, Idaho.

2. At the status conference parties should be prepared to discuss an orderly process for providing notice and allowing right holders that are the subject of the *Motion* the opportunity to respond and be heard. The Court proposes issuing a scheduling order setting the hearing date on the *Motion* together with a deadline for filing *Objections* to the *Motion* in advance of the hearing; as well as replies. The scheduling order would then be served on parties with rights that are the subject of the *Motion*. Parties should be prepared to discuss the above proposal or to discuss alternatives.

Dated October 26, 2010.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **ORDER SETTING STATUS and SCHEDULING CONFERENCE** were mailed on October 26, 2010, by first-class mail to the following:

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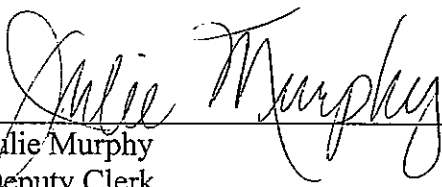
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