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JUL 29 2011

DEPARTMENT OF
WATER RESOURCES

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

JUL 28 2011

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

) Subcase No: 00-91013
) (Basin-Wide Issue 13)
)
) SCHEDULING ORDER RE:
) MANDATORY SETTLEMENT
) CONFERENCES
)
)

1. On May 26, 2011, the Court issued a *Scheduling Order* in the above-captioned matter directing that the Idaho Department of Water Resources ("Department") file a 706 Report and Recommendation with the Court with respect to those water rights for which *Objections* to the State of Idaho's *Second Amended Motion to Include Subordination Language on Water Rights Affected by the Swan Falls Agreement* were filed.¹

2. On July 15, 2011, the Department filed its *Supplemental Director's Report Regarding Basinwide Issue 13* ("706 Report and Recommendation").

3. The May 26, 2011 *Scheduling Order* directed that any water user who disagreed with any portion of the 706 Report and Recommendation file an *Objection* with the Court on or before July 27, 2011. The May 26, 2011 *Scheduling Order* further directed that for those water rights for which *Objections* to the 706 Report and Recommendation were timely filed, mandatory settlement conferences would be scheduled at a place, date and time to be determined, but within the first two weeks of August 2011.

4. *Objections* to the 706 Report and Recommendation were filed with respect to 13 water rights – 35-2430, 35-2434, 35-8050, 35-8046, 35-7878, 36-7732B, 36-7732C, 36-7732D, 37-21943, 37-22586, 47-7519A, 47-7519B and 51-7196.

¹ The *Objections* filed in this matter were filed by those water users who objected to having their water rights listed on Attachment B to the State of Idaho's *Motion*. Attachment B to the State's *Motion* included a list of those water rights identified by the State with priority dates on or before October 25, 1984 that the State alleges are only entitled to the limited statutory subordination protections provided by Idaho Code § 42-203B with respect to Idaho Power's water rights (as opposed to full contractual subordination).

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. Settlement conferences are mandatory. For those 13 water rights for which *Objections* to the 706 Report and Recommendation were filed, appearing at the time and place identified below to participate in a settlement conference with respect to your *Objection(s)* is mandatory. **Failure to attend the scheduling conference will result in this Court issuing an order confirming the Department's recommendation with respect to your water right.**

2. Location. All mandatory settlement conferences, with the dates and times specified below, shall be held 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 also be available by appearing at the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., Conference Rm. B, Boise, Idaho.

3. Date and time. The following dates and times have been set for mandatory settlement conferences:

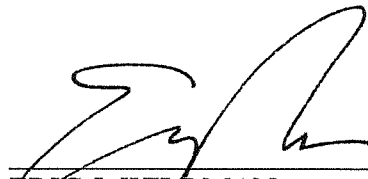
Claimant	Water Right(s)	Date	Time	Settlement Moderator
B-4 Dairy, LLC	36-7732B 36-7732C 36-7732D	August 5, 2011	1:30 p.m. (Mountain Time)	Special Master Brigitte Bilyeu
Luis Bettencourt Sharon L. Bettencourt	47-7519A 47-7519B	August 5, 2011	9:30 a.m. (Mountain Time)	Special Master Brigitte Bilyeu
Bart Wride Wride Farms, Inc.	35-7878	August 8, 2011	9:30 a.m. (Mountain Time)	Special Master Theodore Booth
Larry Bethke	35-8050 35-8046	August 8, 2011	1:30 p.m. (Mountain Time)	Special Master Theodore Booth
Richard Winberg	35-2430 35-2434	August 11, 2011	9:30 a.m. (Mountain Time)	Special Master Theodore Booth
SCI Properties, LLC ²	37-21943 37-22586	August 11, 2011	1:30 p.m. (Mountain Time)	Special Master Terrence Dolan
Virginia Canavero Chris Adamo	51-7196	August 12, 2011	9:30 a.m. (Mountain Time)	Special Master Brigitte Bilyeu

² Presently pending unresolved before the Court in the above-captioned matter is a *Motion to File Late Objections* filed by SCI Properties, LLC, requesting that the Court grant it leave to file late *Objections* for water rights 37-21943 and 37-22586. The date and time set for SCI Properties, LLC's settlement conference is being set now in the event the *Motion* is granted. In the event the *Motion* is granted, SCI Properties, LLC should bring to the settlement conference any additional evidence in support of their *Objections* for review by the Department. In the event the *Motion* is denied, the August 11, 2011 settlement conference for SCI Properties, LLC will be vacated.

4. IDWR representative: A representative of the Department shall appear and participate in each of the above-scheduled settlement conferences.

5. Additional information: Claimants may bring additional evidence in support of their *Objection(s)* to the settlement conference. Claimant shall make arrangements to provide any such additional evidence to the Department prior to the scheduled settlement conference.

DATED: July 28, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SCHEDULING ORDER RE: MANDATORY SETTLEMENT CONFERENCES was mailed on July 28, 2011, with sufficient first-class postage to the following:

FAULKNER LAND & LIVESTOCK CO
NORTH SNAKE GROUND WATER
PERRY & AFTON VAN TASSELL

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LARRY BETHKE
Represented by:
CANDICE M MC HUGH
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BASIN AND RANGE RESOURCE
INTERESTED WATER USERS
JEFF & JACKIE HARPER

Represented by:
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TIMOTHY R EAMES
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DARRINGTON, MATTHEW C
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BLF LAND LLC
BURGESS CANAL
EGIN BENCH CANALS INC
ENTERPRISE IRRIGATION COMPANY
HARRISON CANAL AND IRRIGATION
IDAHO IRRIGATION DISTRICT
LARRY & CAROLYN LEE
L2 LIMITED PARTNERSHIP
NEW SWEDEN IRRIGATION DISTRICT
NORTH FREMONT CANAL SYSTEMS
PEOPLES CANAL & IRRIGATION
PROGRESSIVE IRRIGATION DIST
RALPH L HILLMAN
RANDY J HILLMAN
SNAKE RIVER VALLEY IRRIGATION

Represented by:
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CLEAR SPRINGS FOODS INC
IDAHO POWER COMPANY
Represented by:
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CITY OF POCATELLO
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(Certificate of mailing continued)

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VIRGINIA CANAVERO
58409 MANSFORD AVE
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HAROLD A & MARLENE FUNK
865 FILLMORE
AMERICAN FALLS, ID 83211
Phone: 208-226-7735

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".