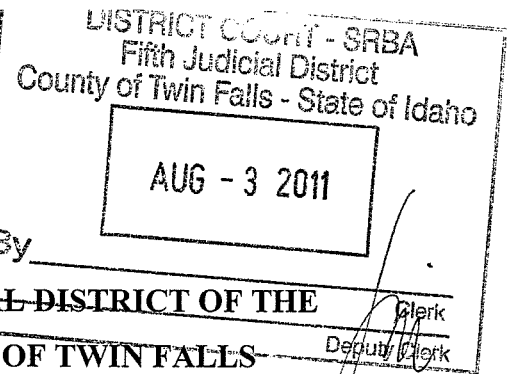


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AUG 04 2011

DEPARTMENT OF
WATER RESOURCES



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
) (*Motion for Accounting*)
)
) SCHEDULING ORDER AND ORDER SETTING
) STATUS CONFERENCE
)
)
)
)

A status conference on the State of Idaho's *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* ("Motion for Accounting") was held in the above-captioned matter on August 2, 2011. At the status conference, the following issues were identified as being unresolved in this matter: (1) whether *de minimis* domestic and stockwater water rights diverting from the Blackfoot River prior to January 1, 1990 are entitled to the protections of Paragraph 27-11375.x.d. of the *Fort Hall Consent Decree*¹; and (2) the form of the subordination remark to be placed in the *Partial Decrees* of each of the natural flow water rights benefitting from the subordination protection of Paragraph 27-11375.x.d. of the *Fort Hall Consent Decree*. The parties requested additional time to address the above-identified issues.

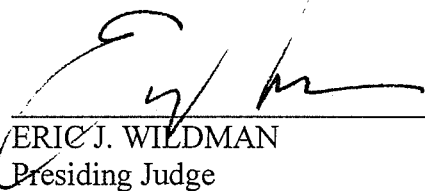
THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. Deadline for Filing Status Report: The parties shall file a status report with this Court **on or before September 23, 2011**, informing the Court of the parties' progress with respect to the above-identified issues and if the parties are in agreement on how to proceed on those issues.

¹ The term *Fort Hall Consent Decree* refers to the *Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin* entered in Twin Falls County Case No. 39576 on August 2, 1995.

2. Status Conference: A status conference on the *Motion for Accounting* is set for **Monday, September 26, 2011, at 2:30 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 also be available by appearing at the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., Conference Rm. B, Boise, Idaho.

DATED: August 3, 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 AND ORDER SETTING STATUS CONFERENCE was mailed on August 03, 2011, with sufficient first-class postage to the following:

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A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".