

AUG 10 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

) Subcase No: 00-91013

) (Basin-Wide Issue 13)

Case No. 39576

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

AUG - 9 2011

By _____

Deputy Clerk

) ORDER GRANTING VAN TASSEL
) MOTION TO FILE LATE

) OBJECTION TO 706 REPORT

) ORDER VACATING HEARING

) ORDER SCHEDULING

) MANDATORY SETTLEMENT

) CONFERENCE

On July 29, 2011, Afton and Perry Van Tassel (collectively "Van Tassel") filed a *Motion to File Late Objection to 706 Report* ("Motion") along with the supporting *Affidavit of Thomas J. Budge* in the above-captioned matter. The *Motion* is associated with water right 36-7512. On August 2, 2011, the Court issued a *Notice of Hearing on Van Tassel Motion to File Late Objection to 706 Report* which, among other things, set a deadline for the filing of responses in opposition to the *Motion*. The time for filing responses in opposition to the *Motion* has expired and no such responses have been filed. As such, the *Motion* is unopposed.

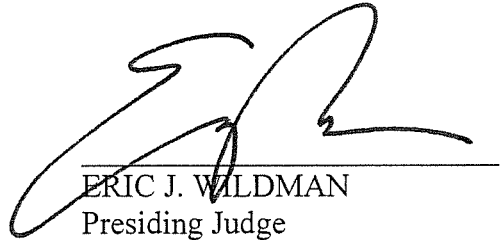
THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. The *Motion to File Late Objection to 706 Report* filed by Van Tassel is **hereby granted**.
2. The hearing set on the *Motion to File Late Objection to 706 Report* for August 12, 2011, at 8:30 a.m. is **hereby vacated**.
3. Mandatory Settlement Conference: A mandatory settlement conference for water right 36-7512 is set for **August 12, 2011 at 1:30 p.m.** and will 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. **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.**

A representative of the Department shall appear and participate at the mandatory settlement conference. The Van Tassels may bring additional evidence in support of their *Objection* to the settlement conference. The Van Tassels shall make arrangement to provide any such additional evidence to the Department prior to the scheduled settlement conference. The settlement moderator will be Special Master Brigitte Bilyeu.

DATED: August 9, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION/ORDER VACATING HEARING/ORDER SCHEDULING MANDATORY SETTLEMENT CONF was mailed on August 09, 2011, with sufficient first-class postage to the following:

FAULKNER LAND & LIVESTOCK CO
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HARRISON CANAL AND IRRIGATION
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L2 LIMITED PARTNERSHIP
NEW SWEDEN IRRIGATION DISTRICT
NORTH FREMONT CANAL SYSTEMS
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SCANNED

AUG 10 2011

(Certificate of mailing continued)

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TO WHAT EXTENT IF ANY SHOULD
THE SWAN FALLS AGREEMENT BE
ADDRESSED IN THE SRBA OR BE
MEMORIALIZED IN A DECREE

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AMERICAN FALLS, ID 83211
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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".