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DEPARTMENT OF
WATER RESOURCES

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

MICHAEL C. ORR (ISB # 6720)
Deputy Attorney General
Natural Resources Division
700 West Jefferson Street Room 210
P.O. Box 44449
Boise, ID 83711-4449
Telephone: (208) 334-2400
Facsimile: (208) 854-8072

Attorneys for the State of Idaho

**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 nos. 01-0009, 01-0017, and 01-2050

)

Case No. 39576

)

**STATE OF IDAHO'S MOTION FOR
STATUS CONFERENCE**

)

)

The State of Idaho, by and through its attorneys of record, hereby moves this Court to set a status conference in the above-captioned subcases for Thursday, March 15, 2012, at 2:00 p.m., to discuss the procedural posture of these subcases in light of the recently filed Supplemental Director's Report.¹

The Supplemental Director's Report includes an Amended Director's Report for Subcase no. 01-0009, because "during the preparation of this [Supplemental] Report, it

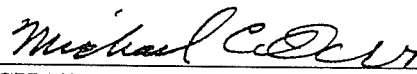
¹ *Supplemental Director's Reports Regarding Subcase Nos. 01-09, 01-17 & 01-2050* (Feb. 29, 2012).

was determined that the recommended priority for 01-09 should be changed from April 1, 1939 to July 12, 1967, and that the recommended quantity should be changed from 121 cfs to 113 cfs.” *Supplemental Director’s Reports Regarding Subcase Nos. 01-09, 01-17 & 01-2050* (Feb. 29, 2012), at 2; *see also id.* at Attachment Q (Amended Director’s Report, Subcase no. 01-0009). Subsequently, Milner Irrigation District filed a notice of withdrawal of its objection to the original Director’s Report. *Notice Of Withdrawal Of Objection, Subcase No. 01-09* (Feb. 29, 2012)

Given the Amended Director’s Report, the procedural posture of these subcases is unclear. A status conference would afford the parties and this Court the opportunity to clarify this question, and thereby avoid potential confusion and unnecessary delay. The State has noticed a hearing for 2:00 p.m. on Thursday, March 15, 2012, on the Court’s calendar for this purpose, and prepared a notice of status conference, which is filed herewith.²

Respectfully submitted this 8th day of March 2012.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division



MICHAEL C. ORR
Deputy Attorney General

² The State’s counsel has discussed the proposal for a status conference with counsel for all other parties and none objected.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of March, 2012, I caused a true and correct copy of the STATE OF IDAHO'S MOTION FOR STATUS CONFERENCE to be served on the following parties by the indicated methods:

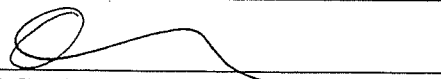
1. Original to:

Clerk Of The District Court Snake River Basin Adjudication 253 Third Avenue North PO Box 2707 Twin Falls, ID 83303-2707	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☒ Facsimile: (208) 736-2121
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2. Copies to:

Candice McHugh Racine Olson Nye Budge & Bailey Chartered 101 S. Capitol Blvd.; Ste 300 Boise, ID 83702-5079	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☒ E-mail: cmm@racinelaw.net
Jerry R. Rigby 25 N. 2 nd E. PO Box 250 Rexburg, ID 83440-0250	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☒ E-mail: jrigby@rex-law.com
David Gehlert US Department Of Justice 999 18 th Street, South Terrace, Ste. 370 Denver, CO 80202	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☒ E-mail: david.gehlert@usdoj.gov

State Of Idaho Represented By: Natural Resources Div Chief State Of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivery ☐ Federal Express ☐ Facsimile: _____ ☐ E-Mail: _____ ☒ Not applicable
IDWR Document Depository PO Box 83720 Boise, ID 83720-0098	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: _____ ☐ E-mail: _____
City of Pocatello Represented by: Sarah A. Klahn White & Jankowski LLP Kittredge Building 511 16 th St. STE 500 Denver, CO 80202	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: _____ ☒ E-mail: sarahk@white-jankowski.com
Milner Irrigation District Represented By: Travis L. Thompson 113 Main Ave. W., STE 303 PO Box 485 Twin Falls, ID 83303-0485	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: _____ ☒ E-mail: tlt@idahowaters.com
USDI Bureau Of Reclamation Represented By: US Department Of Justice Environment & Nat'l Resources 550 West Fort Street, MSC O33 Boise, ID 83724	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: _____ ☐ E-mail: _____


 OLGA L. VALDIVIA