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1995 JUL 27 AM 9:43

DISTRICT COURT-SRBA
TWIN FALLS CO, 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

Case No. 39576

) Subcase Nos.: See Attached Exhibit A
)
) **ORDER GRANTING IN PART, AND**
) **DENYING IN PART, MOTION TO**
) **VACATE SETTLEMENT**
) **CONFERENCES**

On May 24, 1995 an *Order Setting Mandatory Settlement Conference* was issued for the above-referenced subcases. The United States, Lola Coates, and San Felipe Ranches are parties to these subcases. As set forth in the *Order Setting Mandatory Settlement Conferences*, settlement conferences are to help minimize litigation expenses and to allow parties to settle their differences before trial.

On July 25, 1995, Lola Coates and San Felipe Ranches filed a *Motion to Vacate Settlement Conferences* asserting that under the circumstances of these subcases, requirements of Initial Disclosures and Settlement Statements will impose an economic burden on the parties. In addition, Coates and San Felipe Ranches assert that communications are ongoing between the parties. Thus, they seek to avoid a Mandatory Settlement Conference at the current time. No opposition to the *Motion to Vacate Settlement Conferences* was filed.

The parties to these subcases have a history of disagreement, and the court is not convinced that some alternative dispute resolution would not be beneficial. The court will not, at this time, exempt the parties from participating in settlement conferences as the court may deem beneficial.

However, current discussions which the parties have undertaken on their own should not be hindered. Therefore, the Settlement Conference set for August 16 & 17, 1995 shall be vacated, and the parties shall not be required to comply with the Initial Disclosures or Settlement Statement requirements at this time. The parties shall report regarding the progress of the above

ORDER GRANTING IN PART, DENYING
IN PART, MOTION TO VACATE
SETTLEMENT CONFERENCES
7/27/95

referenced subcases at a Status Conference August 16, 1995 at 3:00 p.m. Participation may be by telephone. The parties shall be prepared to present a full report on all aspects of these subcases and shall be prepared to address options for alternative dispute resolution.

IT IS ORDERED that:

1. The Settlement Conference set for August 16 & 17, 1995 is **vacated**.
2. The parties are relieved from the deadlines for Initial Disclosures and Settlement Statements established by the *Order Setting Mandatory Settlement Conference* dated May 24, 1995.
3. The parties shall report to the court on the progress of these subcases at a Status Conference August 16, 1995 at 3:00 p.m. SRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho 83303. Participation may be by telephone.

DATED July 27, 1995.


BRIGETTE BILYEU
Special Master, Reporting Area 1
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING IN PART, DENYING PART, MOTION TO VACATE SETTLEMENT CONFERENCES** was mailed on July 27, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Patrick D. Brown
Hepworth, Lezamiz & Hohnhorst
P.O. Box 389
Twin Falls, ID 83303

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Deputy Clerk

EXHIBIT A

34-13084	34-13176	34-13208	34-13272
34-13085	34-13178	34-13209	34-13273
34-13086	34-13179	34-13210	34-13274
34-13087	34-13180	34-13211	34-13275
34-13088	34-13181	34-13214	34-13280
34-13090	34-13182	34-13215	34-13281
34-13091	34-13183	34-13220	34-13282
34-13095	34-13184	34-13223	34-13283
34-13100	34-13186	34-13228	34-13285
34-13114	34-13187	34-13229	34-13286
34-13145	34-13188	34-13230	34-13287
34-13146	34-13189	34-13231	34-13288
34-13147	34-13190	34-13235	34-13289
34-13148	34-13191	34-13237	34-13290
34-13154	34-13192A	34-13241	34-13291
34-13155	34-13194	34-13243	34-13296
34-13157	34-13195	34-13246	34-13298
34-13161	34-13196	34-13253	34-13337
34-13162	34-13197	34-13257	34-13338
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34-13169	34-13203	34-13264	
34-13171	34-13204	34-13266	
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34-13175	34-13207	34-13271	