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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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.: 34-13355, 34-13408 and
	)	34-13409
Case No. 39576	)	
	)	ORDER GRANTING MOTION TO
	)	VACATE SETTLEMENT
	)	CONFERENCES AND SETTING
	)	STATUS CONFERENCE

An *Order Setting Mandatory Settlement Conference* was issued for the above referenced subcases. The United States and Herb Whitworth are parties to these subcases.

On Monday, September 11, 1995 the United States filed a *Motion to Vacate Settlement Conferences and to Set Scheduling Conference (Motion)* asserting that under the circumstances of these subcases, settlement conferences would not be beneficial. The *Motion* seeks to vacate the mandatory settlement conferences set for the above referenced subcases. No opposition to the *Motion* was filed.

In its *Motion*, the United States represented that the United States has contacted the other parties and worked extensively on settlement negotiations. The United States asserts in its *Motion* that a settlement conference would not be productive for these subcases because the parties have already attempted negotiations, and this subcase should proceed to a scheduling conference.

Although the court will not exempt the parties to these subcases from participating in settlement conferences in the future if the court deems such settlement conferences beneficial, it appears that such settlement conferences may not be beneficial at the current time. Therefore, the Settlement Conferences for these subcases set for September 13, 1995 shall be **vacated**. The United States shall contact the parties to these subcases to inform them that the settlement conferences are

vacated.

IT IS ORDERED that:

1. The Settlement Conferences set for September 13, in the above referenced subcases **are vacated.**
2. The United States shall contact all parties to inform them that the Settlement Conferences have been vacated.
3. That subcase nos. 34-13355, 34-13408 and 34-13409 are set for a Status Conference as follows:

DATE: November 17, 1995 at 9:00 a.m.
LOCATION: Arco Memorial Building
326 West Grand
Arco, Idaho

DATED September 12, 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 MOTION TO VACATE SETTLEMENT CONFERENCES** was mailed as follows:

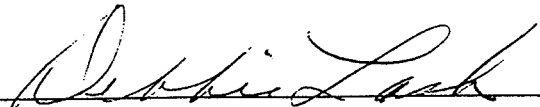
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State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

Director of IDWR
P.O. Box 83720
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Mr. Herb Whitworth
Star Route
Mackay, ID 83251

By Facsimile

U.S. Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort St., MSC 033
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Deputy Clerk