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Department of Water Resources  
Adjudication Bureau

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DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

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OFFICE OF THE  
ATTORNEY GENERAL

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 ) SETTLEMENT CONFERENCE REPORT  
Case No. 39576 ) Subcase No.: 36 - 00033F  
)  
)

This form is used to report the results of a Settlement Conference.

**A. Attendance**

The following individuals and persons were present at the Settlement Conference held on  
September 19, 1995, before Settlement Moderator, Brigitte Bilyeu:

Claimant(s): Gustafson Family Trust  
- Ivan J. Gustafson

Attorney: ~~Not Present~~ Not Present

Objector(s):

Attorney:

Also Present:

Respondent(s): IDWR, Steve Clelland  
and Carter Fritschle

Attorney: Nick Spencer

**B. Standard Form 5**

During the Settlement Conference, the parties reached an agreement as to all of the elements of this water right. The parties agree that a fully completed and executed *Standard Form 5* reflecting their agreement shall be submitted to the court no later than

\_\_\_\_\_  
(30 days maximum)

If a fully executed *Standard Form 5* is not received by this date, the parties agree this matter should immediately be set for a scheduling conference or trial.

**C. Partial Settlement**

The parties reached agreement on these elements as follows:

Although Mr. Gustafson was not present at the hearing, we were able to contact him by telephone. He indicated he was confused about the time of the Settlement Conferences. Mr. Gustafson and Nick Spencer agreed they could meet again on October 3, 1995 at 10<sup>00</sup> A.M.

**D. Recommendation for Additional Settlement Conferences**

Settlement Moderator, Brigitte Bilyeu, recommends this subcase be set for an additional Settlement Conference within 90 days. The parties have represented to the Settlement Moderator that they are available on October 3, 1995 at 10<sup>00</sup>

The reason(s) an additional Settlement Conference may be beneficial is:

IDWR and Mr. Gustafson need to exchange additional information.

**E. Recommendation for Trial Setting:**

Settlement Moderator, Brigitte Bilyeu, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1      2      3      4      5      6      7      8      9      10

DATED September 19, 1995.

Signature of Parties

Signature of Parties

Brigitte Bilyeu  
Brigitte Bilyeu, Settlement Moderator

Signature of Parties

Signature of IDWR

Nick Spencer

Mr. Gustafson was not present and thus could not sign this document. However, he represented by telephone he was available Oct. 3, 1995

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SETTLEMENT CONFERENCE REPORT was mailed on September 21, 1995, with sufficient first-class postage to the following:

CLIVE STRONG  
DEP AG OFFICE OF ATTY GEN  
STATEHOUSE MAIL  
BOISE, ID 83720  
Phone: 208-334-2400  
Rep: STATE OF IDAHO

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

GUSTAFSON FAMILY TRUST  
IVAN GUSTAFSON  
PO BOX 209  
HAGERMAN, ID 83332

  
Deputy Clerk

