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Department of Water Resources

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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) SETTLEMENT CONFERENCE REPORT
Case No. 39576) Subcase No.: 36-11142, 36-11144, 36-11145
)

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): Flying Triangle, Inc. Attorney: John Simpson
(Represented by Bill and Agnes Brailsford)

Objector(s): Attorney:

Also Present:

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

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:

The party and IDWR are virtually agreed on the amount of acreage. They will continue to finalize the numbers on acreage. The tentative agreement on acreage has helped the Brailsfords and IDWR to settle on questions of flow which may help resolve the quantity issue. These subcases may settle if IDWR and the claimant can further discuss these issues on their own. If a SFS results, it will be

D. Recommendation for Additional Settlement Conferences

filed by October 27, 1995.

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 _____.

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

E.

Recommendation for Trial Setting:

These subcases should be set for a status conference on October 27, 1995

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 18 1995.

[Signature]
Signature of Parties

Wick Spencer
Signature of Parties IDWR

W. N. Brailsford
Signature of Parties

Signature of Parties

Brigitte Bilyeu
Brigitte Bilyeu, Settlement Moderator

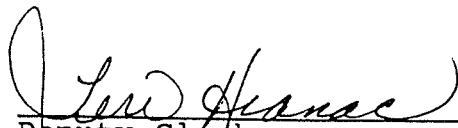
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SETTLEMENT
CONFERENCE REPORT was mailed on September 19, 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

JOHN K. SIMPSON
P O BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700
Rep: FLYING TRIANGLE, INC.


Deputy Clerk

