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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

Case No. 39576

) Subcase No. 34-10439

)  
) ORDER VACATING SETTLEMENT  
) CONFERENCE and ORDER  
) REQUIRING AMENDED  
) STANDARD FORM 5

On January 10, 1995, a *Standard Form 5, Proposed Elements of a Water Right* was filed with the court for this water right. The signatories to the *Standard Form 5* are the claimants/objectors David Horre' and Linda Horre', represented by Craig D. Hobdey, and the respondent State of Idaho Department of Water Resources. Thus it appears that all parties to this subcase are signatories to the *Standard Form 5*.

Since all parties to this subcase appear to have reached an agreement as to this water right, as set forth in *Standard Form 5*, IT IS HEREBY ORDERED that the Settlement Conference previously scheduled for January 31, 1995 is vacated.

IT IS FURTHER ORDERED that the Deadlines for Initial Disclosures and Settlement Statements for this subcase are vacated.

The *Standard Form 5* which was submitted in this case, however, appears to be incomplete for the following reasons:

- [X] A copy of the recommendation contained in the director's report for this water right was not attached.
- [X] The parties failed to provide the court with a required statement for element 9.

- ☐ The parties provided a mere conclusory statement for element(s) \_\_\_\_\_ instead of a complete statement which fully describes all the stipulated facts, documents, expert opinions and law which support this element of the water right.
- ☐ The parties failed to provide the court with a required statement describing the stipulated facts, documents, expert opinions and law explaining why this claim is withdrawn.
- ☐ The parties provided a mere conclusory statement for element 10 instead of fully describing why these matters are necessary to define this water right, and fully describing why these matters do not fall within the nine elements listed. The statement required for element 10 should include a full explanation of the stipulated facts, documents, expert opinions and law which support including this as a separate element of this water right.
- ☒ The legal descriptions appear incomplete for element(s) 5 and 8.
- ☒ Other: The parties have listed as owners, two individuals who are not signatories to the *Standard Form 5*. If there was a change from the owners listed in the director's report, the *Standard Form 5* should be filled out listing only the owners who will be listed in the decree. The required statement should explain the basis for the change from the director's report, such as that a *Standard Form 3, Notice of Change in Address or Consent to Substitution of party* or an *Order Granting Motion for Substitution of Party* was filed.

IT IS ORDERED that the parties to this subcase shall submit an *Amended Standard Form 5* which complies with all of the requirements of *Standard Form 5* no later than February 14, 1995.

IT IS SO ORDERED.

DATED January 19, 1995.

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

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## CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER VACATING SETTLEMENT CONFERENCE and ORDER REQUIRING AMENDED STANDARD FORM 5** was mailed on January 19, 1995, with sufficient first-class postage to the following:

Craig D. Hobdey  
PO Box 176  
Gooding, ID 83330-0176

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

  
\_\_\_\_\_  
Deputy Clerk

