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OCT 30 1995

Department of Water Resources

DISTRICT COURT
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 28 1995

By

Clerk

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: 36-00033 F
(ONE NUMBER ONLY)

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 October 26, 1995, before Settlement Moderator,

Brigette Bilyeu:

Claimant Gustafson Family Trust; Attorney _____
(Evan J. Gustafson)

Objector(s) _____; Attorney _____

Objector(s) _____; Attorney _____

Respondent(s) _____; Attorney _____

Respondent(s) _____; Attorney _____

Also Present: Nick Spencer, with Jeff Peppersack for IDWR
Steve Clelland 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:

Mr. Gustafson and the Department have now
agreed on all elements of this water right. However
the Department is unable to sign an SFS, or
amended Director's Report due to questions
of how to interpret the effect of a prior decree.
The parties request a status conference on
December 12, 1995 at 3³⁰. IDWR and Mr. Gustafson
will submit a non-SFS stipulation prior to that.

D. Recommendation for Additional Settlement Conferences

Settlement Moderator, _____, 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 _____.

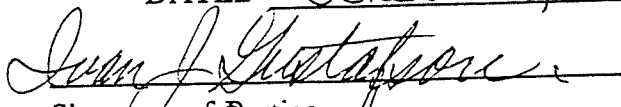
The reason(s) an additional Settlement Conference may be beneficial is:

E. Recommendation for Trial Setting:

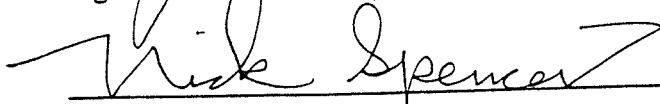
Settlement Moderator, _____, recommends this subcase be set
for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

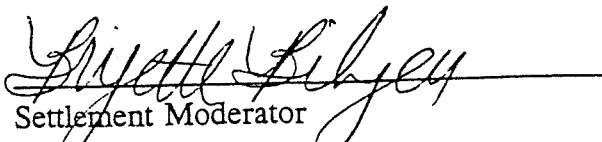
DATED October 26, _____, 1995.


Signature of Parties

Signature of Parties


Signature of Parties IDWR

Signature of Parties


Settlement Moderator

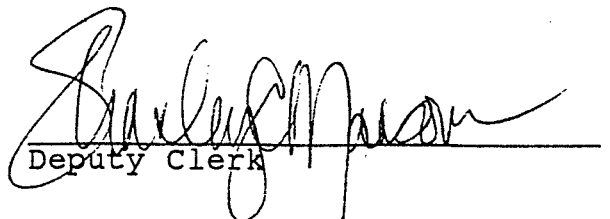
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SETTLEMENT
CONFERENCE REPORT was mailed on October 27, 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

