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Department of...

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

OCT 28 1995

By _____

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, and
(ONE NUMBER ONLY) 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 October 26, 1995, before Settlement Moderator,

Brigette Bilyeu:

Claimant Flying Triangle, Inc.; Attorney John Simpson

Objector(s) _____; Attorney _____

Objector(s) _____; Attorney _____

Respondent(s) _____; Attorney _____

Respondent(s) _____; Attorney _____

Also present: IDWR, Nick Spencer with Steve Clelland, Carter Fritschle and Jeff Peppersack and Kelly Christensen

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:

Since the last settlement conference, the Department and Flying Triangle have exchanged information. In addition, the Department did an on-site visit since the last settlement conference. The Department is now willing to recommend approximately the quantity claimed. There is also a question remaining on one of these subcases about the effect of a prior decree. Parties request status conference.

D.

Recommendation for Additional Settlement Conferences

on December 12, 1995
at 3:30.

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:

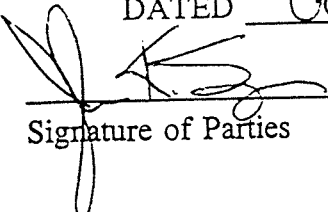
E.

Recommendation for Trial Setting:

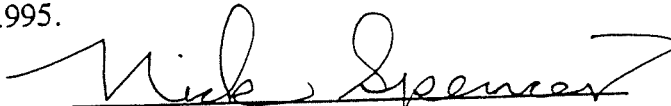
Settlement Moderator, _____, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

DATED October 26, 1995.



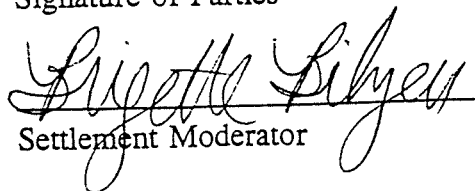
Signature of Parties



Signature of Parties

Signature of Parties

Signature of Parties



Settlement Moderator

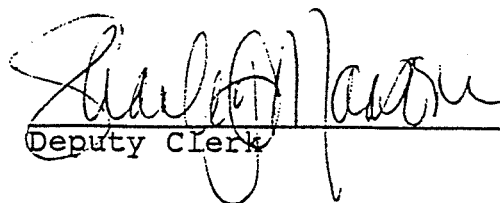
CERTIFICATE OF MAILING

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

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


Deputy Clerk

