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Department of Water Resources

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
FILED

In Re SRBA

Subcase No.: 34-07232

Case No. 39576

ORDER REQUIRING THE IDAHO
DEPARTMENT OF WATER
RESOURCES TO SUBMIT A REPORT
PURSUANT TO I.R.E 703, I.R.E 705
AND I.R.E. 706

A scheduling conference was held for this subcase on February 9, 1996, and the court set deadlines for the trial. At the hearing, counsel for Lola Coates requested the court order the Idaho Department of Water Resources (IDWR) to file a report pursuant to I.R.E. 706 disclosing any expert opinions IDWR might offer at trial if designated an expert witness and called at trial by the court.

Pursuant to I.R.E. 706, the court appoints the Idaho Department of Water Resources as an expert witness to address the facts which it has investigated regarding the elements of this water right, and the issues raised by the parties including priority date, season of use and quantity. IDWR shall prepare a report which sets forth any expert opinions with regard to the elements of this water right and the above referenced issues. In addition, IDWR shall set forth in its report the facts and data upon which each opinion is based pursuant to I.R.E.s 703 and 705.

May 1, 1996 5:00 p.m. Report from IDWR shall be filed with the court and all parties to this subcase.

IT IS SO ORDERED.

DATED February 20, 1996.


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

CERTIFICATE OF MAILING

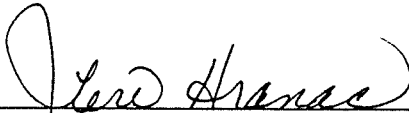
I certify that a true and correct copy of the ORDER REQUIRING THE IDAHO DEPARTMENT OF WATER RESOURCES TO SUBMIT A REPORT PURSUANT TO I.R.E 703, I.R.E 705 AND I.R.E. 706 was mailed on February 20, 1996, with sufficient first-class postage to the following:

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

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Patrick Brown
Hepworth, Lezamiz & Hohnhorst
P.O. Box 389
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Deputy Clerk