

A. LYNNE KROGH
NICHOLAS B. SPENCER
Deputy Attorneys General
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7920
FAX: (208) 327-7866

1-28

ATTORNEYS FOR
THE IDAHO DEPARTMENT OF WATER RESOURCES

**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	)	Subcase Nos. 36-11142,
	)	36-11144 and 36-11145
Case No. 39576	)	
	)	STIPULATION TO VACATE STATUS
	)	CONFERENCE; STATUS REPORT IN
	)	LIEU OF CONFERENCE
	)	

Descriptive Summary

This is the stipulation of IDWR and claimant Flying Triangle, Inc., to vacate the status conference set for 1:30 p.m. on February 28, 1996. It also is a report on the status of these subcases, submitted in lieu of the status conference.

Stipulation to Vacate Status Conference

The Idaho Department of Water Resources (IDWR) and claimant/objector Flying Triangle, Inc., by and through their respective undersigned counsel of record, hereby stipulate to vacate the status conference on the above-referenced SRBA subcases, set for 1:30 p.m. on February 28, 1996, before Special Master Terrence A. Dolan, at the SRBA Court in Twin Falls, Idaho.

Status Report in Lieu of Conference

In lieu of the above-referenced status conference IDWR and Flying Triangle, Inc., and IDWR submit the following written status report.

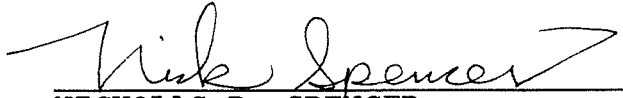
SUBCASE NO. 36-11142

With the exception of priority date, Flying Triangle, Inc., and IDWR believe they have reached agreement on all elements of this water right. Flying Triangle, Inc., has submitted additional information to IDWR in support of its position that this right is entitled to an earlier priority date than was recommended. IDWR has reviewed this information and other information regarding decreed rights in the vicinity. Based upon this further review IDWR has tentatively determined that it may be able to recommend an earlier priority date. IDWR must yet conduct further internal review to confirm this tentative decision.

SUBCASE NOS. 36-11144 AND 36-11145

IDWR and Flying Triangle, Inc., have reached agreement in principle on all elements of these two water rights. IDWR will prepare draft Standard Form 5's for review and approval by Flying Triangle.

DATED this 28TH day of February, 1996.



NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources



JOHN K. SIMPSON
Attorney for Flying Triangle, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 28TH day of February, 1996, I served a true and correct copy of the foregoing STIPULATION TO VACATE STATUS CONFERENCE; STATUS REPORT IN LIEU OF CONFERENCE on the each of the following persons by first class mail, postage prepaid, to the address or addresses listed below.

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

U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort St., MSC 033
Boise, Idaho 83724



NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

TRANSMISSION VERIFICATION REPORT

TIME : 02/28/1996 13:44
NAME : IDWR
FAX : 3275400
TEL : 3277906

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

02/28 13:42
SPECIAL MASTERS
00:02:12
04
OK
STANDARD