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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 25 2014	
By _____	Clerk
_____	Deputy 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 CSRBA

Case No. 49576

) ORDER SETTING
) INITIAL HEARING AND
) SCHEDULING CONFERENCE

) SUBCASE NOS.: 91-7624, 91-7636,
) 91-7729, 92-10890, 92-10891, 93-7433,
) 94-8621, 94-9133, AND 95-16527
)

I. OVERVIEW

The United States of America, on behalf of the U.S.D.A. Forest Service filed 9 claims in the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA). The Director of the Idaho Department of Water Resources filed a *Notice of Filing Federal Reserved Water Right Claims in the Coeur d'Alene-Spokane River Basin Adjudication* on March 27, 2014. The *Notice of Filing* included these 9 Forest Service claims. After *Objections* and *Responses* were filed, an *Order of Reference* was filed instructing this Special Master to conduct hearings.

Objections were filed to all 9 subcases by various parties. Most of the objectors are consolidated into groups represented by common counsel. There are some litigants who objected to some of the claims on their own behalf.

II. OPPORTUNITY TO REVIEW PARTY STATUS

Those who filed *Objections* or *Responses* to these Forest Service claims are now parties to this action and will be expected to prosecute their *Objections* or *Responses*. *CSRBA Administrative Order 1, Rules of Procedure, § 2.q.* In the past, individuals may have filed *Objections* or *Responses* without realizing that they have become a party to a lawsuit and must participate in legal proceedings. Therefore, parties should consider whether they still wish to proceed in the

litigation process. Following such a review, any party wishing to withdraw from any of the 9 Forest Service Subcases listed should file a *Notice of Withdrawal* prior to March 24, 2015.

III. IDENTIFICATION OF LEGAL ISSUES

At this stage, the legal issues shared by these claims have yet to be determined. The Court expects to discuss the common legal issues, and how to proceed with these subcases. The parties and the Court will consider those legal issues when scheduling these subcases for trial and other deadlines.

IV. PROPOSED SCHEDULING ORDER

An Initial Hearing and Scheduling conference will be held in these subcases on April 1, 2015 as set forth below. Prior to the scheduling conference, the parties will have an opportunity to submit a proposed schedule for these subcases. Any party that wishes to submit a proposed schedule must file it on or before March 20, 2015.

V. INITIAL HEARING AND SCHEDULING CONFERENCE

An Initial Hearing and Scheduling Conference shall be held in the above-captioned subcases. Due to the geographic location of counsel, the Court, and parties, the scheduling conference will be held in the Snake River Basin Adjudication District Court Building (SRBA) in Twin Falls, Idaho. The Court and parties will be able to utilize telephone and video teleconference systems that allow parties to participate by telephone or video teleconference. All parties are permitted to appear in person, or by telephone or video teleconference.

The hearing will begin with a roll call of those parties participating by telephone or video teleconference. You may identify yourself on the phone or teleconference as the Court takes roll. Each party will then have an opportunity to discuss the scheduling of these proceedings.

THEREFORE, THE FOLLOWING IS ORDERED:

1. Hearing Date: An Initial Hearing and Scheduling Conference in the above listed subcases is set for **April 1, 2015 at 9:00 am (Pacific Time), 10:00 am (Mountain Time)** at the **Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho.** Telephone participation will be available by dialing **1-215-446-0193** and when prompted entering participant code **926509#**. For any questions regarding telephone participation, please contact

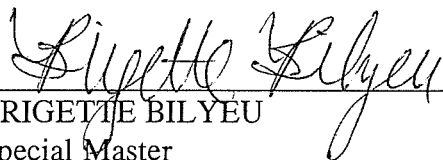
the Clerk's office at 1-208-736-3011. No cell phones or speaker phones will be permitted as they interfere with our sound system making the proceeding difficult to accurately record. Video teleconferencing ("VTC") will also be available by appearing at either (1) the Idaho Department of Water Resources, Northern Regional Office, 7600 N. Mineral Drive, Suite 100, Coeur d'Alene, Idaho, or (2) The Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., 6th floor, Boise, Idaho.

2. Deadline for Notice of Withdrawal. Any party withdrawing as a party from some or all of the subcases shall file a "Notice of Withdrawal" with the court **on or before March 24, 2015**.

3. Deadline to Submit Proposed Schedule. Any party submitting a proposal for scheduling in the above listed subcases must file it with the Court **on or before March 24, 2015**, and serve a copy on those parties identified on the *Certificate of Service* attached hereto.

IT IS SO ORDERED.

DATED: February 25, 2015.



BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING INITIAL HEARING AND SCHEDULING CONFERENCE was mailed on February 25, 2015, with sufficient first-class postage to the following:

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