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9-12-96

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SEP 19 1996

Department of Water Resources
Adjudication Bureau

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.: 34-00012, 00013, 02507,
10873, 10943, 10944, 10945, 10946,
12431, 12432.

)

This form is used to report the results of a Settlement Conference.

A. Attendance

The following individuals and person were present at the Settlement Conference held on

Sept. 12, 1996, before Settlement Moderator, Fritz X. Haemmerle:

Claimant(s):

Attorney:

Objector(s):

Attorney:

Also Present: IDWR

Attorney: Krogh/Howard/King/Spencer

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

9/12
(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:

No Agreement Parties will file
Summary Judgment on issues of
ownership & delivery of water outside
district. Need to decide consolidation
motion pending.

D. Recommendation for Additional Settlement Conferences

Settlement Moderator, Fritz X. Haemmerle, 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 2/12.

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

E. Recommendation for Trial Setting:

Settlement Moderator, Fritz X. Haemmerle, 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 Sept. 12, 1996.

By signing this document, the parties acknowledge receipt of a copy of this document.

[Signature] (for Walker)

Signature of Parties

[Signature] (for Quist: Smart Trust)

Signature of IDWR

[Signature]

Fritz X. Haemmerle, Settlement Moderator

SETTLEMENT CONFERENCE REPORT

[Signature] ~~RECEIVED~~

Signature of Parties

[Signature]

Signature of Parties

[Signature]