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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED QH

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.: 34-00414
34-07171

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. 20, 1996, before Settlement Moderator, Fritz X. Haemmerle:

Claimant(s): Seibert/Seefried

Attorney: Ph. S.

Objector(s): " "

Attorney: "

Also Present: IDWR

Attorney: Krogh/Howard/King/Spencer

Fritzsche/Cantelero

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

Oct. 20, 1996
(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:

All parties agreed to dismiss all
objections to both water rights
34-07171 + 34-00414.

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 2/14.

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 20, 1996.

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

Jennifer Swigert
Signature of Parties

Nally Seefried
Signature of Parties

A. K. Hough
Signature of IDWR

Fritz X. Haemmerle
Signature of Parties

Fritz X. Haemmerle, Settlement Moderator

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SETTLEMENT CONFERENCE REPORT was mailed on September 23, 1996, with sufficient first-class postage to the following:

~~CLIVE STRONG~~
~~DEP AG OFFICE OF ATTY GEN~~
~~STATEHOUSE MAIL~~
~~BOISE, ID 83720~~ *24*
~~Phone: 208-334-2400~~
~~Rep: STATE OF IDAHO~~

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

~~JOHN A. NAISBITT~~ *NA*
~~PO BOX 128~~
~~MACKAY, ID 83251~~

KEVIN SWIGERT
ROUTE 1 BOX 19D
MACKAY, ID 83251
Phone: 208-588-2225

WILLIAM A. SEEFRIED
ROUTE 1
MACKAY, ID 83251

WILLIAM A. SEEFRIED
SEEFRIED, HOLLY C.
ROUTE 1
MACKAY, ID 83251

[Signature]
Deputy Clerk