

COPY
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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.: See Exhibit A
attached

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

A. Attendance

The following individuals and persons were present at the Settlement Conference held on
September 26, 1996, before Settlement Moderator, Brigitte Bilyeu:

Claimant(s): See Attendance Attorney:

Objector(s): Attorney:

Also Present: IDWR Attorney: Krogh/Howard/
Honsinger/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

(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:

- ① Agreement on 36-10409 on domestic ~~without listing quantity of~~ and listing quantity at .04
 - ② Agreement on 36-10283B on total acreage of 9.2. Consumptive Use & Purpose unresolved.
 - ③ Agreement on 36-00108B on total acreage of 12.5. Consumptive Use & Purpose unresolved.
 - ④ ~~IDWR close to agreement on 36-00106~~ No Agreement on 36-00106
 - ⑤ Agreement on 36-00103F on .5 acres; .02 cfs; preexisting 542-111.
 - ⑥ ~~No agreement on 36-00092.~~
 - ⑦ ~~No agreement on 36-00039N.~~
 - ⑧ ~~No agreement on 36-00079, but closer on acreage. IDWR agrees on 14.7, claimant agrees on just over 16 acres.~~
 - ⑨ Agreement on 36-00061, 00062 & 00063 for acreage of 122.8 acres.
 - ⑩ ~~No agreement on 36-00047~~ ⑪ ~~No agreement on 36-00055J~~ ⑫ ~~No agreement on 36-00064B.~~
- D. Recommendation for Additional Settlement Conferences

Settlement Moderator, Brigitte Bilyeu, 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 _____.

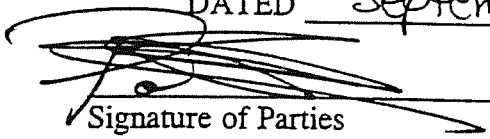
The reason(s) an additional Settlement Conference may be beneficial is:

E. Recommendation for Trial Setting:

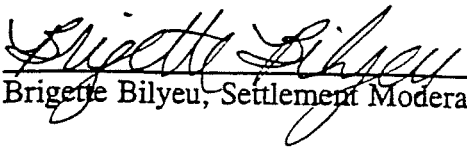
Settlement Moderator, Brigitte Bilyeu, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

DATED September 26, 1996.


Signature of Parties

Signature of Parties


Brigitte Bilyeu, Settlement Moderator


Signature of Parties

Charles Z. Housinger
Signature of IDWR

→ Because the State of Idaho was not permitted to participate on factual issues, it is unable to join a settlement of these subcases

EXHIBIT A

Subcase Nos:

36-00003A
36-00003C
36-00003E
36-00003F
36-00034B
36-00035J
36-00039C
36-00039E
36-00039J
36-00039N
36-00047
36-00061
36-00062
36-00063
36-00064B
36-00079
36-00085A
36-00086C
36-00092
36-00103F
36-00106
36-00108B
36-10283B
36-10409

Attendance at Settlement Conference 9/26/96

Name

Representing

Elaine Boyer	Elaine & Dale Boyer, Hagerman, Id.
Jerry Keenendaal	Self
Susan Walmsley	HWRO, Inc.
Frank Erwin	
Peggy Erwin	
Paul Walkins	
Pat Brown	HWRO Cases
Steve Clelland	IDWR
Charlie Honsinger	IDWR
Nick Spencer	IDWR
George & Nell Korbis	

(Subcase list: HWROTRIAL)
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OVER →

Name

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Basil & Tangle Link
Geo. Lemmon

Representing

6

Self
Big Springs