

**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 No. 91-00005-34
)	
Case No. 39576)	(Basin-Wide Issues, Basin 34
)	General Provisions except
_____)	Conjunctive Management)

**ORDER APPOINTING SPECIAL MASTER CUSHMAN AS SETTLEMENT
FACILITATOR FOR REMAINING BASIN-WIDE ISSUES 5-34**

The Court finds that some or all of the remaining Basin-Wide 5-34 issues may be amenable to settlement, and that the appointment of a settlement facilitator may promote the expeditious resolution of the issues.

Therefore, in accordance with *Administrative Order 1, Section 12*, the parties are hereby ordered to participate in a settlement conference regarding the remaining Basin-Wide 5-34 issues. It is further ordered that Special Master Thomas Cushman is hereby appointed as the settlement facilitator for purposes of moderating settlement negotiations. **Parties shall submit available dates for a settlement conference to Special Master Cushman no later than May 19, 2000.**

It is further hereby ordered that in addition to the docket sheet notice, all parties who have previously filed objections and/or responses in this matter shall also be served by mail of any notice related to settlement conference proceedings. Parties are hereby notified that failure to appear at the settlement conference will result in the withdrawal of the non-appearing party's objection or response. Parties failing to appear at the settlement conference will then have the opportunity to show cause in the district court as to why their objection and/or response should not be withdrawn.

Absent settlement or unless otherwise ordered, all settlement efforts pursuant to this order shall proceed independently of any forthcoming litigation schedule to be set for Basin-Wide 5-34 issues, i.e., a “dual track,” settlement and trial. All settlement matters shall be in accordance with I.R.C.P. 16(k).

IT IS SO ORDERED:

DATED: APRIL 28, 2000

BARRY WOOD
Administrative District Judge and
Presiding Judge of The
Snake River Basin Adjudication