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FILED
TWIN FALLS CO., IDAHO
SRBA

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	)	ORDER ACCEPTING STIPULATION
	)	
Case No. 39576	)	
	)	SUBCASE NOS.: 31-10245 and
	)	31-10740

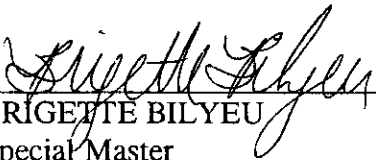
The United States of America, through the USDA Agricultural Research Service, ("United States") and James F. Hagenbarth, David J. Hagenbarth and Margaret Hagenbarth (collectively, "Hagenbarths") have filed a *Stipulation and Subordination Agreement* ("*Stipulation*") to resolve the objections of the United States to the above captioned water right claims. The United States and the Hagenbarths have also filed a *Joint Motion for Order Approving Stipulation* ("*Joint Motion*") A hearing on the *Joint Motion* was held March 21, 2003. No parties to these subcases raised any objections to the *Stipulation*. The Special Master ORDERS as follows:

1. The *Stipulation* is accepted by the Special Master. The *Stipulation* appears to be a fair and equitable resolution of the dispute between Hagenbarths and the United States.
2. It is expected that the terms of the subordination provisions of the *Stipulation* will be included in the Special Master's Report and Recommendation. Specifically, it is expected that the following language will be included in the priority date element:

The priority for this water right is subordinated to the point of diversion located in the SWSE of Section 5 of T13N R40E of water right numbers 31-00080 and 31-00326, as described by the Stipulation and Subordination Agreement recorded on March 17 as Instrument No. 050002 in the office of the Clark County Recorder.

3. If for any reason that language is not included in the Special Master's Report and Recommendation, the Special Master will consider the litigation impact on the United States and the Hagenbarths prior to issuing further orders.

DATED March 21, 2003.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ACCEPTING STIPULATION was mailed on March 21, 2003, with sufficient first-class postage to the following:

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