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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) Subcases: 36-16218 & 36-16219
)
)
) ORDER CONSOLIDATING CASES WITH 36-10033 *et*
) *al*
) AND ORDER STAYING CHALLENGE ON
Case No. 39576) CONSOLIDATED SUBCASES UNTIL FURTHER
) ORDER OF COURT
)
_____)

I.
PROCEDURAL BACKGROUND

On March 22, 2004 the Court issued an *Order Conditionally Staying Challenge on Consolidated Subcases 36-10033 et al*, of which subcase 36-16123 was consolidated. A *Statement of Clarification of Issue on Challenge* was filed by Claimants in the Consolidated Subcases on April 7, 2004, stating that a decision in the A&B Irrigation District cases will decide the outcome of Claimant's Challenge. The Court issued an *Order Staying Challenge on Consolidated Subcases 36-10033 et al* on April 9, 2004, which was entered in subcase 36-16123. On August 2, 2004, *Notices of Completed Administrative Proceedings/Substitution of Party* (NCAPs) and *Amended Director's Reports* were entered in Subcases 36-16123, 36-16218 and 36-16219. The NCAPs stated that water right 36-16123 had been split into two rights: 36-16218 and 36-16219. No Objections were filed to the *Amended Director's Reports*.

II.
ORDER

Because subcases 36-16218 and 36-16219 were split from subcase 36-16123, IT IS ORDERED THAT **Subcases 36-16218 and 36-16219 be CONSOLIDATED with Subcases 36-10033 *et al.*** It is FURTHER ORDERED that the Subcases 36-16218 and 36-16219 are **STAYED** pending a ruling from the Idaho Supreme Court in the A&B Irrigation District cases and until further order of this Court.

DATED November 16 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONSOLIDATING SUBCASES AND ORDER STAYING CHALLENGE ON CONSOLIDATED SUBCASES UNTIL FURTHER ORDER OF COURT was mailed on November 16, 2004, with sufficient first-class postage to the following:

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A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.