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Department of Water Resources
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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 the General Adjudication of Rights
to the Use of Water from the Snake River
Basin Water System.

Subcase Nos. 36-02080 and 36-15127

**ORDER DENYING MOTION FOR
LEAVE TO INTERVENE**

The State of Idaho, *ex rel.* R. Keith
Higginson in his official capacity as
Director of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State of Idaho; and
all claimants to the use of Water from the
Snake River Basin Water System,

Respondents.

The Idaho Conservation League, Inc., Idaho Rivers United, Inc., Idaho Wildlife Federation, Inc., and the Northwest Resource Information Center, Inc., hereinafter called "Conservation Groups," having filed *Motions for Leave to Intervene* in Subcase Nos. 36-02080 and 36-15127; Presiding Judge Daniel C. Hurlbutt, Jr., having entered his *Order Granting, in Limited Part, Motion to Reconsider Order Denying Motion for Leave to Intervene* dated January 14, 1994 in Case No. 39576; the two subcases having come before Special Master Terrence A. Dolan at a Scheduling Conference on January 20, 1994; and the Special Master having considered arguments by the parties,

IT IS ORDERED that the Conservation Groups' *Motions for Leave to Intervene* are DENIED to the extent they are based on the "public trust" doctrine.

IT IS FURTHER ORDERED the Conservation Groups may file *Amended Motions For Leave to Intervene* based on "local public interest" on or before 5:00 p.m. on February 28, 1994. Responses to the amended motions must be filed on or before 5:00 p.m. on April 1, 1994. Replies to Responses shall be filed on or before 5:00 p.m. on April 15, 1994.

IT IS FURTHER ORDERED that a hearing on the *Motions for Leave to Intervene* shall be held at 9:00 a.m. on May 10, 1994 at the Minidoka County Courthouse, Rupert, Idaho.

DATED January 25, 1994.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

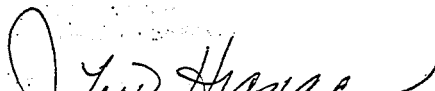
I certify that a true and correct copy of the **ORDER DENYING MOTION FOR LEAVE TO INTERVENE** was mailed on January 25, 1994, with sufficient first-class postage to the following:

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Deputy Clerk