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JAN 31 1994

Department of Water Resources
Adjudication Bureau

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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)

Case No. 39576

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

Petitioner,)

MOTION FOR STAY OF
PROCEEDINGS

vs.)

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

Respondents.)

DESCRIPTIVE SUMMARY

This document is Big Lost River Water Users Association's
motion for stay of proceedings in fifty-three (53) subcases until
such time as this Court has issued its opinion on Basin Wide Issue
No. 1.

MOTION

Big Lost River Water Users Association, by and through its attorney of record, hereby moves this Court for an Order staying the setting of a trial date in fifty-three (53) subcases to which it is a party until such time as the Court has issued its opinion regarding the constitutionality of Idaho Code Sections 42-1416 and 42-1416A (Basin Wide Issue No. 1).

This motion is made for the reason that the Court's determination on Basin Wide Issue No. 1 is essential in the administration and outcome of the subcases. Each of these cases has been objected to on the basis of the interpretation and application of Idaho Code Sections 42-1416 and 42-1416A. The fifty-three (53) subcases in which a stay is requested are the following:

<u>NAME</u>	<u>WATER RIGHT (SUBCASE) NO.</u>
Acor, E.	34-2330B-0001-02330B
	34-02426C-0001
	34-07121B-0001
	34-07179-0001
	34-07201-0001
	34-10896-0001
	34-12376-0001
Acor, K.	34-07077-0001
	34-07120-0001
Aikele, D.	34-00168G-0001
	34-00315-0001
	34-02272A-0001
	34-02308A-0001
	34-02358D-0001
	34-02358E-0001
	34-021417B-0001-2417B
	34-07059C-0001
	34-07059D-0001
	34-07122B-0001
	34-07154-0001
	34-10832-0001
	34-12381-0001

Aikele, H.

Aikele, J.

J-P Ranch

Parkinson

P-U Ranch

Sorensen

Sunset Trust

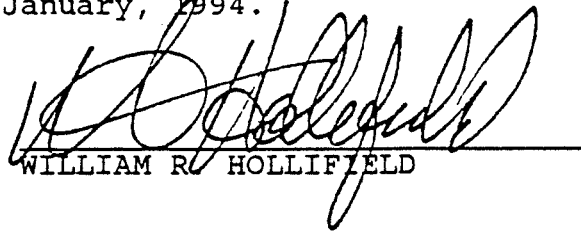
00017D-001
34-0017D-0001—
34-00168F-0001
34-00654A-0001
34-07164-0002
34-12417-0002
34-02315-0001
34-02358A-0001
34-02417A-0001
34-02419A-0001
34-02429A-0001
34-02429B-0001
34-02429B-0002
34-02472A-0001
34-07122A-0001
34-02309-0001
34-02358F-0001
34-07059B-0001
34-07176-0001
34-12368-0001
34-00556-0002
34-02512-0001
34-07079-0001
34-00692D-0004
34-02428-0004
34-02428-0005
34-07223-0004
34-00796-0001
34-02277-0002
34-02491E-0001
34-07075-0001
34-10484-0002

In each subcase, motion cutoff dates and discovery dates have been set which can proceed as scheduled. However, the actual trial of the matters cannot proceed without a determination of Basin Wide Issue No. 1.

Counsel for Big Lost River Water Users Association has discussed this stay with representatives of the respective parties, excepting Parkinson and Sunset Trust. Counsel have indicated they do not object to the requested stay.

A copy of this motion has been filed in each of the individual subcases set forth above.

DATED This 28th day of January, 1994.


WILLIAM R. HOLLIFIELD

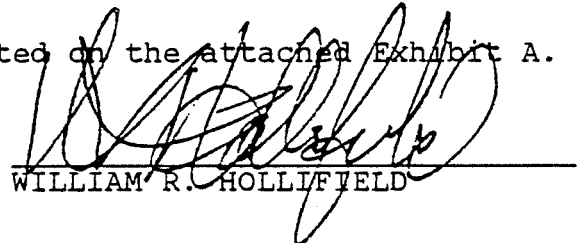
CERTIFICATE OF MAILING

WILLIAM R. HOLLIFIELD hereby certifies that on the 28th day of January, 1994, he served the foregoing document by placing true and correct copies thereof in the United States Mail, postage prepaid, addressed as follows:

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and to those persons listed on the attached Exhibit A.


WILLIAM R. HOLLIFIELD

Court Certificate of Mailing
For Expedited Hearings

January 7, 1994

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