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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

Case No. 39576

) Subcase Nos. See Exhibit 1

)
) ORDER DENYING BIG LOST
) RIVER WATER USERS
) ASSOCIATIONS' MOTION FOR
) STAY OF PROCEEDINGS

On January 28, 1994, Big Lost River Water Users Association filed a *Motion for Stay of Proceedings (Motion for Stay)* before Presiding Judge Hurlbutt, seeking to stay proceedings in fifty-three subcases "until such time as this Court has issued its opinion on Basin-Wide Issue No. 1." Judge Hurlbutt ordered that the Big Lost River Water Users Association's *Motion for Stay* be heard by the special master (In Re SRBA, Twin Falls County Case No. 39576, *Order Re: Hearing on Motion for Stay of Proceedings*, February 3, 1994) (*Order on Motion for Stay*).

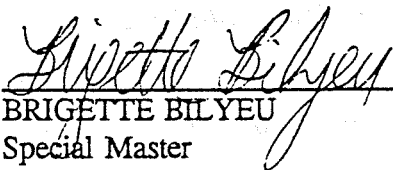
After the *Motion for Stay* was filed and after the *Order on Motion for Stay* issued, the Court ruled on Basin-Wide Issue No. 1. (In Re SRBA, Subcase No. 91-00001, *Memorandum Decision and Order on Basin-Wide Issue No. 1, Constitutionality of I.C. § 42-1416 and I.C. § 42-1416A, As Written*, February 4, 1994.)

Big Lost River Water Users Association's *Motion for Stay* contended that no trial dates should be set in the fifty-three subcases until the Court had ruled on the constitutionality of I.C. § 42-1416 and I.C. § 42-1416A. Therefore, the basis upon which Big Lost River Water Users Association sought to stay the proceedings in fifty-three subcases no longer exists.

IT IS HEREBY ORDERED that Big Lost River Water Users Association's *Motion for Stay of Proceedings* is DENIED as moot. The hearing set for 4:30 p.m. on February 17, 1994 is VACATED.

IT IS FURTHER ORDERED that counsel for Big Lost River Water Users Association shall serve a copy of this Order on all parties to all subcases listed on the attached Exhibit 1 and shall file with this Court a notice of compliance with court order.

DATED February 10, 1994.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DENYING BIG LOST RIVER WATER USERS ASSOCIATION'S MOTION FOR STAY OF PROCEEDINGS** was mailed on February 10, 1994, with sufficient first-class postage to the following:

William Hollifield
Hollifield & Tolman
P.O. Box 66
Twin Falls, ID 83303-0066

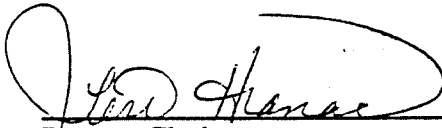

Deputy Clerk

EXHIBIT 1

34-02419A	34-07122B	34-00017D
34-02330B	34-07154	34-00168F
34-02426C	34-12376	34-00654A
34-07121B	34-00556	34-02315
34-07179	34-00692D	34-02358A
34-07201	34-00796	34-02417A
34-10896	34-02277	34-02429A
34-00168G	34-02309	34-02472A
34-00315	34-02358F	34-07059C
34-02272A	34-02428	34-07164
34-02308A	34-02512	34-10832
34-02358D	34-07059B	34-12381
34-02358E	34-07075	34-12417
34-02417B	37-07079	
34-02429B	34-07176	
34-07059D	34-07223	
34-07077	34-10484	
34-07120	34-12368	

