

**Department of Water Resources
Adjudication Bureau**

By _____ Clerk

Deputy Clerk

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 NO. 36-12691

**ORDER STAYING SUBCASE
PENDING DECISION ON FORM OF
DECREE**

On February 24, 1994, Tim and Deelyn Dudley, the United States and IDWR filed a *Stipulation and Order to Resolve Objection* in Subcase No. 36-12691. From the record, it appears that all the parties to the subcase have signed the *Stipulation* they intend to serve as the basis upon which the water right can be decreed.

Because the issue of the form and content of decrees in the SRBA is currently under advisement by Presiding Judge Daniel C. Hurlbutt, Jr., the Special Master cannot fairly evaluate the terms of the parties' *Stipulation*. Once that issue has been determined, the *Stipulation* will be further examined and the parties will have the opportunity to submit a proposed decree. If necessary, the matter will be set for hearing. Then, the Special Master will submit a report and recommendation to Judge Hurlbutt.

For these reasons, IT IS ORDERED that further action in the subcase is STAYED pending resolution of the issue of the form and content of SRBA decrees.

IT IS FURTHER ORDERED the Scheduling Conference set for March 29, 1994 is VACATED.

DATED March 2, 1994.



TERRENCE A. DOLAN
Special Master, Reporting Area 36
Snake River Basin Adjudication

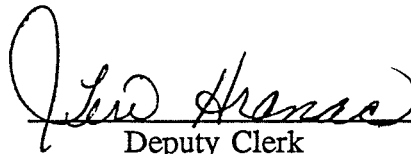
CERTIFICATE OF MAILING

I certify that on March 2, 1994, true and correct copies of the **ORDER STAYING SUBCASE PENDING DECISION ON FORM OF DECREE** were mailed postage prepaid and addressed as follows:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Department of Justice
Environment & Natural Resources Division
550 West Fort, Box 33
Boise, ID 83724

Tim & Deelyn Dudley
Route 3, Box 90A
Rupert, Idaho


Deputy Clerk

Voluntary Process
Initiated by Court Order

MAR 3 1994

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