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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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. 36-00134A
)
)
)
)

**ORDER GRANTING UNITED
STATES' MOTION TO PARTICIPATE
AS AMICUS CURIAE AND VACATING
TRIAL SETTING**

On August 4, 1995, the United States filed its *Motion to Participate as Amicus Curiae*. In the *Motion*, the United States recited that it is currently a party to this consolidated subcase (36-00134A and 36-00135B) having filed a timely objection to 36-00134A, but that it has stipulated to withdraw its objection. Nevertheless, the United States desires to participate as an *amicus* "because the subcase involves common questions of law affecting the United States' claims to water rights in Basin 36 [Reporting Area 3]." Further, the *Motion* stated that the claimants do not object to the United States' participation as an *amicus*.

A *Stipulation to Resolve* [the United States'] *Objection* signed by the claimants and the United States was filed on August 7, 1995.

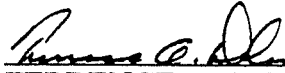
On August 25, 1995, a *Stipulation* "to resolve the objection to water right number 36-00134A" was filed with the court. Attached to the *Stipulation* is a completed *Standard Form 5* signed by the claimants and IDWR. A similar *Stipulation* and *Standard Form 5* for Subcase No. 36-00135B was filed the same date.

THEREFORE, IT IS ORDERED:

1. That the United States' *Motion to Participate as Amicus Curiae* is **granted**; and

2. The trial set for August 28, 1995, is vacated.

DATED August 31, 1995.



TERRENCE A. DOLAN

Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING UNITED STATES' MOTION TO PARTICIPATE AS *AMICUS CURIAE* AND VACATING TRIAL SETTING** was mailed on August 31, 1995, with sufficient first-class postage to the following:

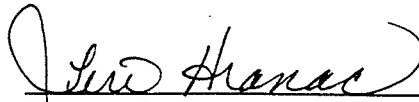
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Deputy Clerk

ORDER GRANTING UNITED STATES' MOTION
TO PARTICIPATE AS *AMICUS CURIAE* AND
VACATING TRIAL SETTING
August 31, 1995