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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 No.: 34-10030

)
) ORDER DISMISSING UNITED
) STATES' OBJECTION and
) DISMISSING UNITED STATES AS
) PARTY TO SUBCASE; and
) VACATING SETTLEMENT
) CONFERENCE

On February 26, 1993, the United States filed an Objection to water right 34-10030. Claimant, the City of Arco filed a response on June 28, 1993. The City of Pocatello filed a response on July 1, 1993. The State of Idaho Department of Water Resources filed a response on July 1, 1993. Subsequently, on March 14, 1995, the United States filed its *Stipulation to Withdraw Objections in Subcase 34-10030* stating "that all objections in the pending subcase are withdrawn by the United States and dismissed with prejudice." The signatories to the *Stipulation* are the claimant/respondent, City of Arco; the respondent, the City of Pocatello; the objector, the United States; and the respondent, State of Idaho. Thus it appears that all parties to this subcase have signed the *Stipulation*. In addition, a *Standard Form 5, Proposed Elements of a Water Right* was filed in this subcase and all parties appear to have signed. Since all parties to this subcase appear to have reached an agreement as to this water right, as set forth in *Standard Form 5*, IT IS HEREBY ORDERED that the Settlement Conference previously scheduled for March 29, 1995, is **vacated**.

The court will treat the *Stipulation* as a request by the parties to allow the United States to withdraw as a party to this subcase, and dismiss its objection with prejudice.

Therefore, based on the file and record herein, and good cause appearing, IT IS ORDERED that the United States is **dismissed as a party** to this subcase. IT IS FURTHER ORDERED that the objection filed by the United States is **dismissed with prejudice**.

DATED February 7, 1995.


BRIGETTE BILYEU
Special Master, Reporting Area 1
Snake River Basin Adjudication

CERTIFICATE OF MAILING

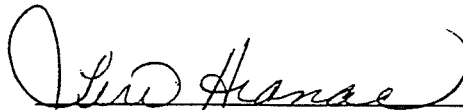
I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION and DISMISSING UNITED STATES AS PARTY TO SUBCASE; and VACATING SETTLEMENT CONFERENCE** was mailed on February 7, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
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Boise, ID 83711-4449

The United States Department of Justice
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Boise, ID 83724

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Deputy Clerk

ORDER DISMISSING UNITED STATES' OBJECTION
and DISMISSING UNITED STATES AS PARTY TO
SUBCASE; and VACATING SETTLEMENT CONFERENCE
3/20/95