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1995 APR 13 PM 4:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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Department of Water Resources
Adjudication Bureau

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. 36-04080

)

)

)

)

)

ORDER DISMISSING UNITED
STATES' OBJECTION AND
DISMISSING THE UNITED
STATES AS A PARTY

The City of Burley filed a *Motion for Stay* on March 14, 1994, and a *Motion to File Late Objection and Late Response* on March 22, 1994. The State of Idaho, IDWR, filed its *Reply to Motion for Stay* on March 24, 1994, stating that it does not oppose entry of the stay. The United States filed its *Stipulation to Withdraw Objections in Subcases 36-04080, 36-04075* on March 24, 1994. The City of Pocatello agreed to support the *Motion for Stay* by letter dated March 22, 1995.

Therefore, IT IS ORDERED:

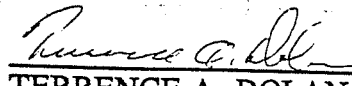
1. That the United States' objection to Subcase No. 36-04080 is **dismissed with prejudice** and the United States is **dismissed** as a party to Subcase No. 36-04080; and
2. That any party opposing the City of Burley's *Motion to File Late Objection* shall file a responsive pleading no later than 5 p.m. April 28, 1995. If no objection to the motion is received by that date, the motion will be granted. Further, the Special Master will then consider the unobjected-to *Motion for Stay*.

DATED April 13, 1995.

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DISTRICT COURT - 2ND
TWIN FALLS COUNTY, IDAHO

FILED



TERRENCE A. DOLAN

Special Master, Reporting Area 3
Snake River Basin Adjudication

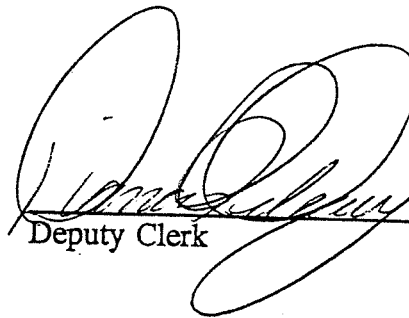
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION AND DISMISSING THE UNITED STATES AS A PARTY** was mailed on April 13, 1995, with sufficient first-class postage to the following:

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

Josephine Beeman
Moffatt, Thomas, Barrett, Rock & Fields
P.O. Box 829
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William Parsons
Parsons, Smith, Stone & Fletcher
P.O. Box 910
Burley, ID 83318



Deputy Clerk