

RECEIVED

JAN 27 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 26 1995

OFFICE OF THE
ATTORNEY GENERAL

1995 JAN 25 AM 9:58

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. 34-07124
)
) ORDER DISMISSING UNITED
) STATES' OBJECTION and
) DISMISSING UNITED STATES AS
) PARTY TO SUBCASE; VACATING
) SETTLEMENT CONFERENCE; and
) REQUIRING STANDARD FORM 5

On January 24, 1995, the United States filed its *United States' Motion to Withdraw or Dismiss Objection and to Vacate Settlement Conference (Motion)*. The United States did not request oral argument. The United States filed the only objection to this subcase on February 26, 1993. A response was filed by the State of Idaho Department of Water Resources on June 18, 1993. Then on June 22, 1993, the United States submitted its *United States' Notice of Withdrawal of Objection*. The court accepted the *United States' Notice of Withdrawal of Objection* for filing. The court will treat the *Motion* as a request by the United States to withdraw as a party to this subcase, and dismiss its objection with prejudice. No other party to this subcase has filed any response indicating they object to the dismissal of the objection or dismissal of the United States as a party to this subcase.

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**.

The United States represents in the *Motion* that, to its knowledge, the other parties to this subcase have no other issues which remain contested. Therefore, it appears that the parties now

ORDER DISMISSING UNITED STATES'
OBJECTION and DISMISSING UNITED
STATES AS A PARTY TO SUBCASE;
VACATING SETTLEMENT CONFERENCE;
and REQUIRING STANDARD FORM 5
1/25/95

agree as to how this subcase should be recommended, and a settlement conference is unnecessary.

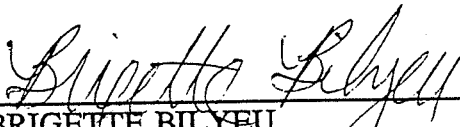
IT IS ORDERED that the Settlement Conference previously scheduled for February 1, 1995 is **vacated**.

IT IS ORDERED that the Deadlines for Initial Disclosures and Settlement Statements for this subcase are **vacated**.

IT IS FURTHER ORDERED that the remaining parties to this subcase shall submit a *Standard Form 5, Proposed Elements of a Water Right* no later than February 24, 1995.

IT IS SO ORDERED.

DATED January 25, 1995.


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

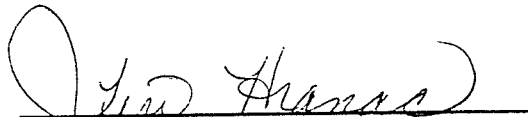
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION and DISMISSING UNITED STATES AS PARTY TO SUBCASE; VACATING SETTLEMENT CONFERENCE; and REQUIRING STANDARD FORM 5** was mailed on January 25, 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

The United States Department of Justice
Environment and Natural Resources
Division
550 West Fort Street, Box 33
Boise, ID 83724

Ben Howard
P.O. Box 628
Bruneau, ID 83604


Deputy Clerk

ORDER DISMISSING UNITED STATES'
OBJECTION and DISMISSING UNITED
STATES AS A PARTY TO SUBCASE;
VACATING SETTLEMENT CONFERENCE;
and REQUIRING STANDARD FORM 5
1/25/95

CLERK OF THE COURT

JAN 29 1995

RECEIVED