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Adjudication Bureau

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DISTRICT COURT-SRBA
TWINFALLS 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 Nos.: 34-00112 34-00113
) 34-00266 34-00111 34-00657A
) 34-00658 34-002322 34-02378
) 34-10496 34-00411 34-00412
) 34-00512 34-00338 34-00341
) 34-00340 34-00339
)
) ORDER DENYING MOTION TO
) CONSOLIDATE SUBCASE
) OBJECTIONS AND STAY
) PROCEEDINGS

On January 30, 1995, the United States filed its *Motion to Consolidate Subcase Objections and Stay Proceedings (Motion)*. In its *Motion*, the United States seeks to consolidate the objections in the above referenced subcases and to stay the proceedings in these subcases until May 1, 1995. The United States seeks to do so in order to attempt settlement of these pending objections. The United States also indicates it seeks this stay to allow time to move to designate a basin-wide issue.

All of the above subcases, with the exceptions of 34-02378 and 34-00883, are stayed already, *Order Granting, In Part, and Denying, In Part, Motion for Stay in the SRBA* (December 22, 1994). Therefore, the *Motion* is moot as to all subcases except 34-02378 and 34-00883. The December 22, 1994 Order allows the parties to discuss settlement during the stay, and the parties to these subcases may continue to pursue settlement discussions. There is no pending subcase no. 34-00883 before the Special Master. The only subcase remaining is 34-02378.

Therefore, IT IS ORDERED that the *Motion* is DENIED as moot as to subcases 34-00112, 34-00113, 34-00266, 34-00111, 34-00657A, 34-00658, 34-02322, 34-10496, 34-00411, 34-00412, 34-00512, 34-00338, 34-00341, 34-00340 and 34-00339. The United States has not provided

sufficient information relating to a requested stay solely for subcase no. 34-02378. IT IS ORDERED that the *Motion* is DENIED as to subcase no. 34-02378.

IT IS FURTHER ORDERED that counsel for the United States shall serve a copy of this *Order* on all parties or the counsel of record in the above subcases listed and shall file a certificate of compliance with this Court.

IT IS SO ORDERED.

DATED January 31, 1995.

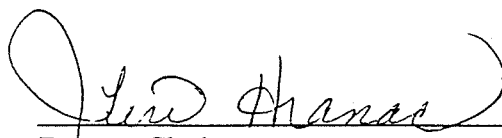

BRIGETTE BILYEU
Special Mater, Reporting Area 1
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DENYING MOTION TO CONSOLIDATE SUBCASE OBJECTIONS AND STAY PROCEEDINGS** was mailed on January 31, 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
Environment and Natural Resources Division
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Deputy Clerk