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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

1995 FEB -7 PM 2: 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.: 34-00301B
)
) ORDER DISMISSING UNITED
) STATES' OBJECTION and
) DISMISSING UNITED STATES AS
) PARTY TO SUBCASE; and
) REQUIRING STANDARD FORM 5

According to the Director's Report, Water Right Number 34-00301B was claimed by Stephen B. and Elva S. King. The only objection to this water right was filed February 26, 1993 by the United States' Bureau of Land Management on the basis that a private individual had claimed a water right for use on public land. Claimant, Stephen B. King filed a response on June 7, 1993. The State of Idaho Department of Water Resources filed a response on July 9, 1993. Subsequently, on February 22, 1994, the United States filed its *Stipulation of Withdrawal* stating that the parties, "stipulate that the objection filed by the United States to the recommendation made by the Director of the Idaho Department of Water Resources to water right number 34-00301B is hereby withdrawn." The signatories are Stephen B. and Elva S. King, the United States and the State of Idaho.

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**.

IT IS ORDERED that the remaining parties to this subcase shall submit a *Standard Form 5, Proposed Elements of a Water Right* no later than **March 10, 1995**.

IT IS SO ORDERED.

DATED February 7, 1995.


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

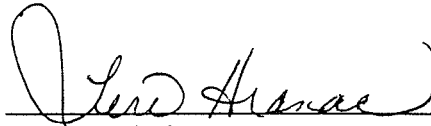
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION and DISMISSING UNITED STATES AS PARTY TO SUBCASE; and REQUIRING STANDARD FORM 5** 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
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

Stephen B. and Elva S. King
Route 1, Box 105
Moore, ID 83255


Deputy Clerk