

3-16

Claimant: Mark Bolduc

Attorney Name and Address: HEPWORTH, LEZAMIZ & HOHNHORST,
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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	)	Subcase No. 36-00039F
	)	
	)	
Case No. 39576	)	<u>STIPULATED MOTION AND ORDER</u>
	)	<u>VACATING SETTLEMENT CONFERENCE</u>
	)	
	)	
	)	

* * * * *

COMES NOW, the Idaho Department of Water Resources, by and through its
counsel, Daniel Steckel and Mark Bolduc, by and through his counsel of record, Patrick B.
Brown, stipulate and agree to the following:

1. On February 17, 1995, this court entered an Order Vacating Mandatory
Settlement Conferences in several subcases involving the rights to use water by members
of HWRO, Inc. for the reasons stated in the motion, including that it would be more

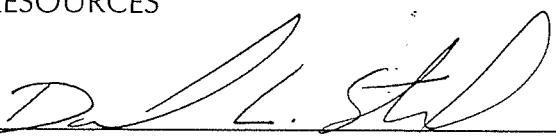
1 expeditious and economical to proceed with one case with respect to common issues;

2 2. The above entitled subcase is related to subcases for which that Order
3 Vacating Settlement Conferences was entered, to wit, subcase no. 36-00039P, and counsel
4 for Mr. Bolduc has represented that many of the same issues will be raised with respect to
5 those rights; and

6 3. It, therefore, would be more expeditious to vacate the settlement
7 conference order in this subcase for the reasons stated in the Motion filed in subcase no.
8 36-00135B and 36-00134A.

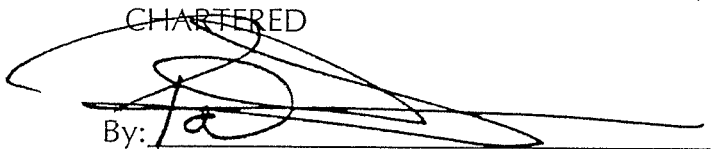
9 Dated this 9th day of March, 1995.

10 IDAHO DEPARTMENT OF WATER
11 RESOURCES

12 By: 
13 Daniel Steckel
14 Attorneys for IDWR

15 Dated this 9th day of March, 1995.

16 HEPWORTH, LEZAMIZ & HOHNHORST,
17 CHARTERED

18 By: 
19 Patrick D. Brown
20 Attorneys for Mark Bolduc
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ORDER

WHEREAS the Master, being fully advised, including through the representations in the above stipulation, finds it would be economical and expeditious to vacate the Order Setting Mandatory Settlement Conference, dated February 3, 1995, pending resolution of common issues; and

WHEREAS the reasons for entering the Motion and Order Vacating Settlement Conferences in subcase no. 36-00135B and 36-00134A, and other subcases of HWRO, Inc, apply to this subcase;

IT IS THEREFORE ORDERED that the Order Setting Mandatory Settlement Conference dated February 3, 1995 is hereby vacated.

Dated this _____ day of March, 1995.

Terrence A. Dolan, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

The undersigned, a resident attorney of the State of Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for the claimants in this matter, certifies that he caused to be mailed a copy of the above and foregoing STIPULATED MOTION AND ORDER VACATING SETTLEMENT CONFERENCE on the _____ day of March, 1995, to:

Nicholas B. Spencer
Daniel Steckel
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Patrick D. Brown

(WATER\BOLDUC.STP\lm)