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Department of Water Resources

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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

) Subcase: 57-02118

Case No. 39576

)  
) ORDER VACATING SETTLEMENT  
) CONFERENCE AND VACATING  
) TRIAL SCHEDULING ORDER  
)

On April 3, 1996, a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)* was filed in the above subcase. The *Stipulation* states, "the parties stipulate to and request that the Court dismiss the objections filed by the United States and Dismiss the United States as a party to these subcases. *Stipulation* at 2. The *Stipulation* further states:

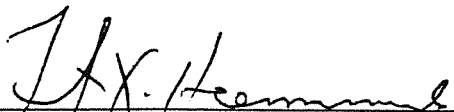
The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. ~~73~~<sup>57</sup>-02177, 57-02118, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

*Stipulation* ¶ 7.

The *Stipulation* was signed by the parties to the subcases. IDWR did not sign the *Stipulation*, however the parties represent to the court that IDWR has no objection. *Stipulation* at ¶ 8. Therefore, since all parties to the subcases appear to be in agreement as to how these

water rights should be decreed, IT IS ORDERED that the Settlement Conference previously set for April 8, 1996 at 2:30 p.m. in Boise, Idaho is **vacated**. IT IS FURTHER ORDERED that all dates and deadlines set forth in the *Trial Scheduling Order* issued March 15, 1996 are **vacated**.

DATED April 5, 1996.

  
FRITZ X. HAEMMERLE  
Special Master, Reporting Area 2  
Snake River Basin Adjudication

### CERTIFICATE OF MAILING

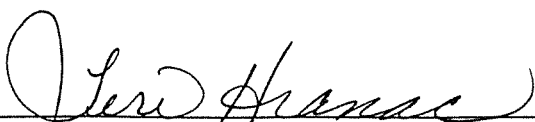
I certify that a true and correct copy of the ORDER VACATING SETTLEMENT CONFERENCE AND VACATING TRIAL SCHEDULING ORDER was mailed on April 5, 1996, with sufficient first-class postage to the following:

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, MSC 033  
Boise, ID 83724

Brad Flinders  
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Director of IDWR  
P.O. Box 83720  
Boise, ID 83720-0098

  
Deputy Clerk