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Department of Water Resources

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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) Subcases: 34-11583, 34-11582,
) 34-11581 and 34-11568
Case No. 39576)
) ORDER SETTING SUMMARY
) JUDGMENT HEARING
)

Standard Forms 5 were filed in the above subcases on July 18, 1995. On February 27, 1996, the Idaho Department of Water Resources lodged *IDWR Report Re: Review of Standard Form 5* in each of the subcases asserting that it did not sign the *Standard Forms 5* because: "[t]he United States is . . . precluded by the doctrine of res judicata from asserting a beneficial use priority date the same as or earlier than the date of the decree, March 15, 1923."

The following dates shall govern the conduct of the subcase through the Summary Judgment hearing. No further order shall issue.

1. 8/22/96 5:00 pm Deadline for filing Motion for Summary Judgment and Supporting Brief.
2. 9/6/96 10:30 a.m. Summary Judgment Hearing.

Motions shall proceed in accordance with the Idaho Rules of Civil Procedure. All dates are final and may only be reset on motion, hearing and order of the court. The hearing on a Motion to Reset will be held with all parties present including those represented by an attorney. The moving party may be held responsible for the costs of the resulting delay.

IT IS SO ORDERED.

DATED July 25, 1996.


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 SETTING SUMMARY JUDGMENT HEARING** was mailed on July 25, 1996, with sufficient first-class postage to the following:

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

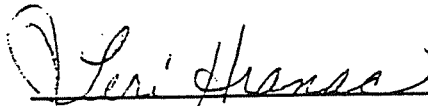
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