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Department of Water Resources

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DIVISION OF WATER RESOURCES  
TWIN FALLS, IDAHO

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 36-00080B, 36-00080C, 36-   |
|                | ) | 00081B, 36-00081C, 36-00082A, 36-    |
| Case No. 39576 | ) | 00082C, 36-07271 (36-07271B) and 36- |
|                | ) | 07271A                               |
|                | ) |                                      |
|                | ) | ORDER VACATING TRIAL DATE and        |
|                | ) | SETTING DEADLINE FOR SUMMARY         |
|                | ) | JUDGMENT MOTION                      |

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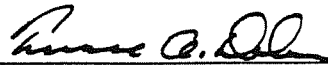
On August 28, 1996, the claimants filed a *Stipulation to Vacate Trial* with which IDWR concurred. The *Stipulation* recited that the claimants and IDWR will submit a *Stipulation of Agreed Facts*, and that the remaining issues will be resolved by summary judgment proceedings.

The Court is convinced that the subcases will better proceed toward final resolution by the proposal and that the claimants and IDWR require additional time to prepare the *Stipulation of Agreed Facts* for each claim.

Therefore, it is ordered that:

1. The trial set to commence on August 28, 1996, is vacated; and
2. The claimants shall file with the Court no later than Friday, September 6, 1996, their *Motion for Summary Judgment*, along with supporting affidavits, and a *Stipulation of Agreed Facts*. Claimants' counsel shall further indicate whether oral argument is requested. If so, an expedited hearing will be set.

DATED August 28, 1996.

  
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TERRENCE A. DOLAN  
Special Master, Reporting Area 3  
Snake River Basin Adjudication

ORDER VACATING TRIAL DATE and SETTING  
-DEADLINE FOR SUMMARY JUDGMENT MOTION

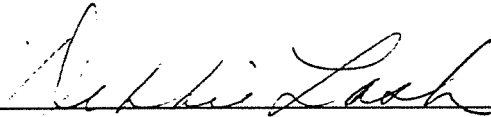
## CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER VACATING TRIAL DATE and SETTING DEADLINE FOR SUMMARY JUDGMENT MOTION** was mailed on August 28, 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

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

Roger Ling  
P O Box 396  
Rupert, Idaho 83350

  
\_\_\_\_\_  
Deputy Clerk