

# In the Supreme Court of the State of Idaho

IN RE: SRBA CASE NO. 39576 (SUBCASES )  
36-02080, ET AL., A & B IRRIGATION). )

REMITTITUR

----- )  
UNITED STATES OF AMERICA, )

NO. 29986

Appellants, )

v. )

ABERDEEN-AMERICAN FALLS GROUND )  
WATER DISTRICT; BINGHAM GROUND )  
WATER DISTRICT; MAGIC VALLEY )  
GROUND WATER DISTRICT; ESTATE OF )  
MACK NEIBAUR; RALPH E. BREDDING; and )  
TIM DEEG, )


Respondents. )

TO: FIFTH JUDICIAL DISTRICT, COUNTY OF TWIN FALLS; SNAKE  
RIVER BASIN ADJUDICATION.

The Court having entered an Order dismissing this appeal on December 16, 2003;  
therefore,

IT IS HEREBY ORDERED that the appeal herein from the judgment of the  
District Court be, and hereby is dismissed.

DATED this 16th day of December 2003.

  
Clerk of the Supreme Court

STATE OF IDAHO

cc: Counsel of Record  
District Court Clerk  
District Judge

In the Supreme Court of the State of Idaho

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

2003 DEC 17 AM 10 35

IN RE: SRBA CASE NO. 39576 (SUBCASES )  
36-02080, ET AL., A & B IRRIGATION). )

----- )  
UNITED STATES OF AMERICA, )

Appellants, )

v. )

ABERDEEN-AMERICAN FALLS GROUND )  
WATER DISTRICT; et al., )

Respondents. )

ORDER DISMISSING  
APPEAL

NO. 29986  
Ref. No. 03S-284

An ORDER CONDITIONALLY DISMISSING APPEAL was issued September 22, 2003 conditionally dismissing this appeal for the reason it may not be timely filed but allowed Appellant to file a response showing good cause, if any why this appeal should not be dismissed. A RESPONSE TO ORDER CONDITIONALLY DISMISSING APPEAL was filed by Appellant stating Appellant has no objection to the Court dismissing the Notice of Appeal. The Court is fully advised; therefore, good cause appearing,

IT IS HEREBY ORDERED that the ORDER CONDITIONALLY DISMISSING APPEAL be, and hereby is, AFFIRMED and this appeal is DISMISSED with the Remittitur to issue forthwith.

DATED this 16<sup>th</sup> day of December 2003.

By Order of the Supreme Court

  
Frederick C. Lyon, Clerk

cc: Counsel of Record