

ORIGINAL

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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. 41-07034
	)	
	)	NOTICE BY THE STATE OF IDAHO
	)	OF WITHDRAWAL OF RESPONSES TO
Case No. 39576	)	OBJECTIONS
_____	)	

COMES NOW, the State of Idaho, by and through the undersigned deputy attorney general, and notifies the district court and the parties that the State of Idaho is withdrawing its responses to objections filed by the Twin Falls Canal Company and the North Side Canal Company. The grounds for its withdrawal are as follows:

1. The Twin Falls Canal Company filed its objection to claim no. 41-07034 on or about January 3, 2000.
2. The North Side Canal Company filed its objection to claim no. 41-07034 on or about January 3, 2000.

3. The State of Idaho filed its response to the objections of Twin Falls Canal Company and North Side Canal Company on or about February 15, 2000.

4. The district court dismissed the objections of Twin Falls Canal Company and North Side Canal Company on or about August 27, 2001.

5. The State of Idaho filed its letter dated July 25, 2002 with the District Court, which stated as follows:

The State of Idaho was a party to this subcase proceeding because it filed responses to the objections filed by North Side Canal Company and the Twin Falls Canal Company. Since the court resolved these two objections, I understand that it resolved the State of Idaho's responses as well. Consequently, I do not intend to participate in the status conference on August 1, 2002.

6. Notwithstanding the letter dated July 25, 2002, the State of Idaho has remained as a designated party on the subcase summary report and has participated in later status conferences. The purpose of this **NOTICE BY THE STATE OF IDAHO OF WITHDRAWAL OF RESPONSES TO OBJECTIONS** is to cause the removal of the State of Idaho as a party to this subcase.

DATED this 27th day of October 1 2004.

LAWRENCE G. WARDEN
ATTORNEY GENERAL

CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
STATE OF IDAHO


DAVID J. BARBER
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 27th day of October 2004, I caused to be served a true and correct copy of the NOTICE BY THE STATE OF IDAHO OF WITHDRAWAL OF RESPONSES TO OBJECTIONS ON the following persons by the methods indicated below:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83204

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 523-9518
☐ Statehouse Mail

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
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Chief of Natural Resource Division
Office of the Attorney General

Not Applicable


DAVID J. BARBER
Deputy Attorney General