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DEPARTMENT OF
NATURAL RESOURCES

Names of Parties Filing Document:

UNITED STATES OF AMERICA

CITY OF POCA TELLO

Attorneys' Names and Addresses:

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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 Numbers: See Attached Exhibit A

)

) **JOINT MOTION TO DISMISS**

Case No. 39576

) **OBJECTIONS**

)

)

Pursuant to Idaho R. Civ. P. 41(a)(2), the United States of America (hereinafter "United States") and the City of Pocatello (hereinafter "City"), respectfully move the Special Master to dismiss, with prejudice, the United States Department of the Interior, Bureau of Land Management's (hereinafter "BLM") objections filed in the above-captioned subcases, based upon the following:

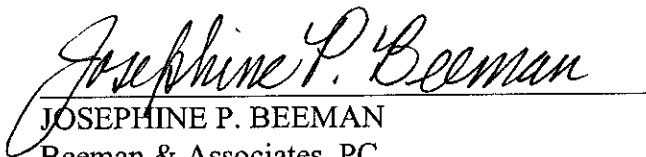
1. The United States agrees that the BLM's objections to the City's place of use as described in the original director's reports for the water right claims listed on attached Exhibit A should be dismissed, with prejudice.

2. The United States and the City agree to bear their own costs and attorney fees.

3. The United States and the City agree that dismissal of the BLM's objections, with prejudice, to the City's place of use as described in the original director's reports for the water right claims listed on attached Exhibit A does not affect existing law.

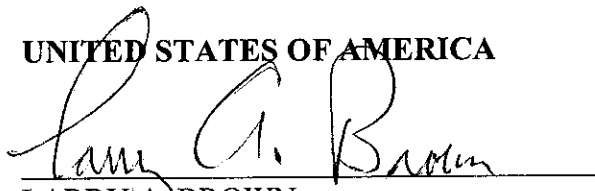
Respectfully submitted,

CITY OF POCATELLO


JOSEPHINE P. BEEMAN
Beeman & Associates, PC
Of Attorneys for the City of Pocatello

DATED: November 17, 2004

UNITED STATES OF AMERICA


LARRY A. BROWN
Of Attorneys for the United States

DATED: 11/16/04

CERTIFICATE OF SERVICE

I certify that on November 17, 2004, I served a true and correct copy of foregoing **JOINT MOTION TO DISMISS OBJECTIONS, SUBCASES 29-00271 ET AL. and proposed ORDER DISMISSING OBJECTIONS** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
322 E. Front Street, 6th Floor
Boise, Idaho 83702

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase:

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Josephine P. Beeman
Beeman & Associates, PC
409 West Jefferson
Boise, ID 83702

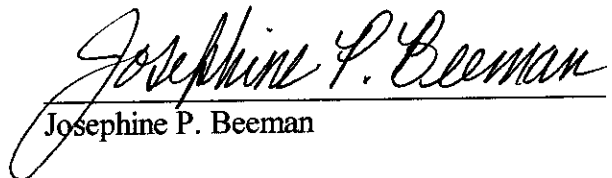

Josephine P. Beeman

EXHIBIT A

Subcase Number

29-00271
29-00272
29-00273
29-02274
29-02338
29-02382
29-02401
29-02499
29-04221
29-04222
29-04223
29-04224
29-04225
29-04226
29-07106
29-07322
29-07375
29-07450
29-07782
29-11339
29-11344
29-11348
29-13558
29-13559
29-13560
29-13561
29-13562
29-13637
29-13638
29-13639

**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 Number: See Attached Exhibit A
	)	
Case No. 39576	)	ORDER DISMISSING OBJECTIONS
_____	)	

Pursuant to Idaho R. Civ. P. 41(a)(2), on _____, 2004, the United States of America and the City of Pocatello filed a Joint Motion to Dismiss, with prejudice, the United States Department of the Interior, Bureau of Land Management's (hereinafter "BLM") objections in the subcases listed on attached Exhibit A.

Based upon the joint motion of the parties, and the record herein, and there appearing to be good cause, it is

ORDERED that the BLM's objections in the subcases listed on attached Exhibit A are dismissed, with prejudice.

DATED this _____ day of November 2004.

Special Master, Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I certify that on _____, 2004, I served a true and correct copy of the foregoing **ORDER DISMISSING OBJECTIONS** by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
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Deputy Clerk

EXHIBIT A

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