

In the Supreme Court of the State of Idaho

IN RE: SRBA CASE NO. 39576 (SUBCASES)
 36-02080, ET AL., A & B IRRIGATION).)
 -----)
 A & B IRRIGATION DISTRICT,)
 Appellant,)
 v.)
 ABERDEEN-AMERICAN FALLS GROUND)
 WATER DISTRICT; BINGHAM GROUND)
 WATER DISTRICT; MAGIC VALLEY)
 GROUND WATER DISTRICT; ESTATE OF)
 MACK NEIBAUR; RALPH E. BREDDING; TIM)
 DEEG; and STATE OF IDAHO,)
 Respondents.)

REMITTITUR

NO. 29942

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho

SEP 12 2005

By _____ Clerk
 _____ Deputy Clerk

TO: FIFTH JUDICIAL DISTRICT, COUNTY OF TWIN FALLS.

The Court having announced its Opinion in this cause June 21, 2005, and having denied appellant's Petition for Rehearing on August 16, 2005; therefore,

IT IS HEREBY ORDERED that the Opinion of the Court announced June 21, 2005, be, and hereby is, FINAL.

IT IS FURTHER ORDERED, inasmuch as no memorandum of costs on appeal was filed, such costs are hereby waived.

DATED this 16th day of August, 2005.

Stephen Kemyon

 Clerk of the Supreme Court
 STATE OF IDAHO

cc: Counsel of Record
 District Court Clerk
 District Judge