



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

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September 17, 2007

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase No.22-07169

Dear Ms. Delaney:

Enclosed for filing in the above listed subcase is the following document.

1. **UNITED STATES' NOTICE OF DISMISSAL OF OBJECTION.**

Sincerely,

David A. Jarvis
Paralegal

Enclosure

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DEPARTMENT OF
WATER RESOURCES

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SEP 20 2007
DEPARTMENT OF
WATER RESOURCES

RONALD J. TENPAS

Acting Assistant Attorney General
Environment and Natural Resources Division

DAVID W. GEHLERT

Trial Attorney, General Litigation Section
Environmental and Natural Resources Division
U.S. Department of Justice
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Denver, CO 80294
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Attorneys for the United States of America

**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. 22-07169
	)	
Case No. 39576	)	UNITED STATES' NOTICE OF
	)	DISMISSAL OF OBJECTION
_____	)	

Pursuant to Idaho R. Civ. P. 41(a)(1)(i), the United States of America, by and through the undersigned attorney, respectfully provides notice of voluntary dismissal of the objection filed on behalf of the United States Department of Interior, Bureau of Reclamation ("BOR") in Subcase Number 22-07169.

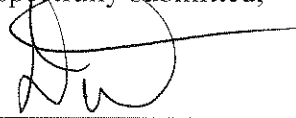
BOR filed an Objection to Subcase No. 22-07169 on July 25, 2007. Since that filing there have been discussions between BOR and the claimant which have resolved the BOR Objection. Therefore, BOR wishes to withdraw its Objection at this time. The initial hearing has not yet been set.

There appearing to be good cause, the Special Master should issue an order dismissing

the BOR's objection, with prejudice.

DATED this 17th day of September, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "DW", written over a horizontal line.

David W. Gehlert
Attorneys for the United States of America

CERTIFICATE OF SERVICE

I certify that on this 17th day of September 2007, I served a true and correct copies of the foregoing **UNITED STATES' NOTICE OF DISMISSAL OF OBJECTION** as indicated below:

via FedEx mail:

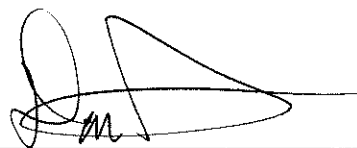
CLERK OF THE SRBA COURT (Original)
SRBA Courthouse
253 Third Ave. North
Twin Falls, Idaho 83301
Phone: (208) 736-3011

via first-class U.S. Mail, pre-paid:

3B LLC
6501 E 2000 N
Sugar City, ID 83448

United States Department of Justice
Environment and Natural Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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

A handwritten signature in black ink, appearing to read 'David W. Gehlert', written over a horizontal line.

David W. Gehlert

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: 22-07169
	)	
Case No. 39576	)	ORDER DISMISSING OBJECTION
_____	)	

On September 17, 2007, the United States of America filed an Idaho R. Civ. P. 41 (a)(i)(i) Notice of Voluntary Dismissal of Objections in Subcase Number 22-07169, stating that its Objection had been resolved.

Based upon the Idaho R. Civ. P. 41(a)(1)(i) Notice of Voluntary Dismissal of Objection filed by the United States, and the record herein, and there appearing to be good cause, it is ORDERED that the BOR's Objection in Subcase Number 22-07169 is dismissed with prejudice.

DATED this _____ day of _____, 2007.

Special Master, Snake River Basin Adjudication

Submitted by

David W. Gehlert
Of Attorneys for the United States