

RECEIVED

APR 09 2008

2008 APR -8 PM 1:19

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 39576

) ORDER DISMISSING OBJECTION
) AND RESPONSE

) SUBCASE NOS.: 27-7306
)
)
)

I. PROCEDURAL BACKGROUND

A Pretrial Conference was held on April 2, 2008. At the hearing, the Shoshone-Bannock Tribes informed the court that it had filed a *Stipulation for Dismissal of Standard Form 1 Objection* on March 24, 2008. There was no opposition to the withdrawal of the *Objection*. The State of Idaho moved to withdraw its *Response*. There was no opposition to the withdrawal of the *Response*. The court informed the parties that a *Special Master's Report and Recommendation* would issue.

After the hearing, however, the court became aware that there were additional issues and *Objections* which remain in this subcase. Specifically, the issue sometimes referred to as the "Recharge Issue" includes this subcase. Therefore, the court will not issue a Special Master's Report and Recommendation at this time.

II. FINDING AND CONCLUSIONS

Therefore, IT IS ORDERED that the *Objection* filed by the Shoshone-Bannock Tribes is **dismissed** without prejudice. The *Response* filed by the State of Idaho is also **dismissed** without prejudice. The Shoshone-Bannock Tribes and the State of Idaho will be **dismissed** as parties but will continue to receive courtesy copies of documents. The remaining objections in this subcase will proceed.

Dated: April 7, 2008.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING OBJECTION AND RESPONSE was mailed on April 08, 2008, with sufficient first-class postage to the following:

SHOSHONE BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

BLACKFOOT IRRIGATION
LA VERELLE STECKLEIN
LAVERELLE STECKLEIN

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098