

Names of Parties Filing Document:

UNITED STATES OF AMERICA

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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 Number: 37-04410
	)	
Case No. 39576	)	NOTICE OF VOLUNTARY
	)	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 Land Management (hereinafter "BLM") in Subcase Number 37-04410. The Amended Director's Report, In Re SRBA, Case No. 39576, Subcase No. 37-04410 (Dated: September 29, 2008) filed by the Idaho Department of

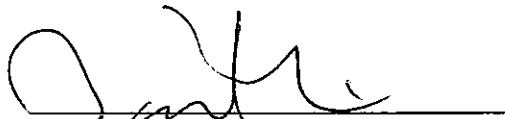
Water Resources with the Snake River Basin Adjudication Court on September 30, 2008 in the above captioned subcase resolved the BLM's objection by clarifying the point of diversion and place of use is on private land. As is typical, the clarifying remark for the point of diversion is located under the point of diversion element. However, the clarifying remark for the place of use is located under "Other Provisions ..." instead of under the place of use element: "Place of use is limited to Mineral Surveys 661 and 2501." **The United States requests that the court move this remark up under the place of use element where it would normally be placed.** The Amended Director's Report was issued in response to the claimant filing an amended notice of claim pursuant to Rule 10.f of Administrative Order 1.

There appearing to be good cause, the Special Master should issue an order dismissing the BLM's objection, with prejudice.

DATED this 27 day of October, 2008.

Respectfully submitted,

UNITED STATES OF AMERICA



DAVID L. NEGRI
Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on 10/28, 2008, I served a true and correct copy of foregoing **NOTICE OF VOLUNTARY DISMISSAL OF OBJECTION; SUBCASE NUMBER: 37-04410 and ORDER DISMISSING OBJECTION; SUBCASE NUMBER: 37-04410** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

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

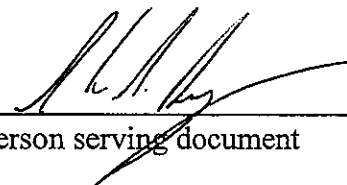
Copy to:

U.S. Department of Justice
Environment and Natural Resources Division
Natural Resources Section
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
Boise, ID 83720-4449

IDWR Document Depository
P.O. Box 83720
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Hailey, ID 83333



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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 Number: 37-04410

Case No. 39576

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ORDER DISMISSING OBJECTION

On _____, 2008, the United States of America filed an Idaho R. Civ. P.

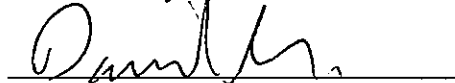
41(a)(1)(i) Notice of Voluntary Dismissal of Objection in Subcase Number 37-04410. Based upon the Idaho R. Civ. P. 41(a)(1)(i) Notice of Voluntary Dismissal of Objection filed by the United States, and the record herein, and there appearing to be good cause, it is

ORDERED that the BLM's objection in Subcase Number 37-04410 is dismissed with prejudice.

DATED this ____ day of _____ 2008.

Special Master, Snake River Basin Adjudication

Submitted by:



David L. Negri

Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on _____, 2008, I served a true and correct copy of foregoing **ORDER DISMISSING OBJECTION; SUBCASE NUMBER: 37-04410** upon the following individuals by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

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

Chief, Natural Resources Division
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Deputy Clerk