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Department of Water Resources  
Adjudication Bureau

**Names of Parties Filing Document:**

UNITED STATES OF AMERICA

**Attorneys' Names and Addresses:**

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Assistant Attorney General  
U.S. Department of Justice  
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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: 67-10761      |
|                | ) |                               |
| Case No. 39576 | ) | <b>NOTICE OF VOLUNTARY</b>    |
|                | ) | <b>DISMISSAL OF OBJECTION</b> |
| _____          | ) |                               |

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 67-10761. The Amended Director's Report, In Re SRBA, Case No. 39576, Subcase No. 67-10761 (March 17, 2008) filed by the Idaho Department of Water Resources

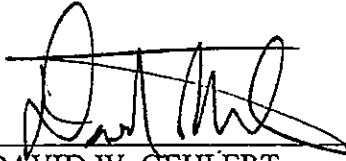
with the Snake River Basin Adjudication Court on March 20, 2008 in the above captioned subcase resolved the BLM's objection by properly describing the point of diversion(s) in the correct Township on private land. The Amended Director's Report was issued in response to the claimant filing an amended 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.

DATED this 7<sup>th</sup> day of November, 2008.

Respectfully submitted,

UNITED STATES OF AMERICA

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

DAVID W. GEHLERT  
Attorney for the United States

**CERTIFICATE OF SERVICE**

I certify that on Nov. 6, 2008, I served a true and correct copy of foregoing **NOTICE OF VOLUNTARY DISMISSAL OF OBJECTION; SUBCASE NUMBER: 67-10761 and ORDER DISMISSING OBJECTION; SUBCASE NUMBER: 67-10761** 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

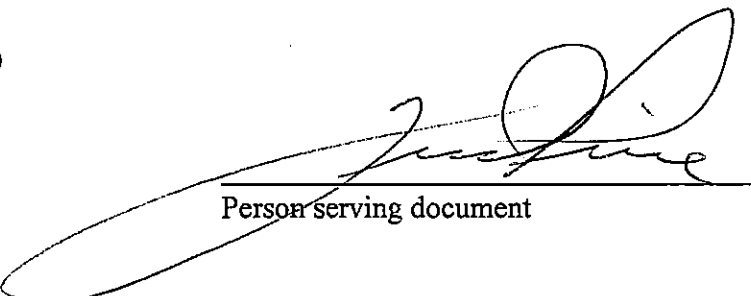
Copy to:

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  
Boise, ID 83720-0098

James Davies  
P.O. Box 392  
Ketchum, ID 83340



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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

Case No. 39576

) Subcase Number: 67-10761

)

)

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**ORDER DISMISSING OBJECTION**

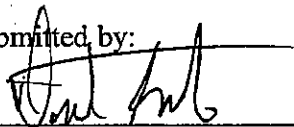
On \_\_\_\_\_, 2008, the United States of America filed an Idaho R. Civ. P.

41(a)(1)(i) Notice of Voluntary Dismissal of Objection in Subcase Number 67-10761. 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 67-10761 is dismissed with prejudice.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

Submitted by:



David W. Gehlert  
Attorney for the United States

\_\_\_\_\_  
Special Master, Snake River Basin Adjudication

## CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_, 2008, I served a true and correct copy of foregoing **ORDER DISMISSING OBJECTION; SUBCASE NUMBER: 67-10761** 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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State of Idaho  
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Deputy Clerk