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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 10 2009	
By _____	Clerk
Deputy Clerk	

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 Nos. 63-02529 63-03163
63-03274 63-03323
63-03324 63-09109
63-10435

**ORDER GRANTING STIPULATION
FOR WITHDRAWAL OF WATER
RIGHT 63-9109 FROM CONSOLIDATED
PROCEEDING**

The parties' STIPULATION FOR WITHDRAWAL OF WATER RIGHT 63-9109 FROM CONSOLIDATED PROCEEDING having been presented to this Court by counsel for Claimant/Objector Pioneer Irrigation District and Respondent State of Idaho, and good cause appearing therefor:

IT IS HEREBY ORDERED AND THIS DOES ORDER that pursuant to Idaho Rule of Civil Procedure 6(e)(3) and Rules 1(a) and 11 of this Court's Administrative Order 1, hereby agree to the withdrawal of water right 63-9109 from this consolidated proceeding to address the validity of annual diversion volume limitations on previously licensed water rights, established by this Court's Order Granting Joint Stipulation and Motion for Order Governing Consolidated Proceedings of November 3, 2008.

DATED this 10th day of February, 2009.



Theodore R. Booth
Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10 day of February, 2009, I caused a true and correct copy of the foregoing **ORDER GRANTING STIPULATION FOR WITHDRAWAL OF WATER RIGHT 63-9109 FROM CONSOLIDATED PROCEEDING** to be served by the method indicated below, and addressed to the following:

*Representing: Claimants Pioneer Irrigation
District, Jerry L. Tlucek, MaryLou Tlucek,
Shelly Tlucek, Byron Tlucek, Rebekah Tlucek,
Kevin Tlucek and DBSI Tiegs 979, LLC*
Scott L. Campbell
Dylan B. Lawrence
MOFFATT, THOMAS, BARRETT, ROCK &
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101 S. Capitol Boulevard, 10th Floor
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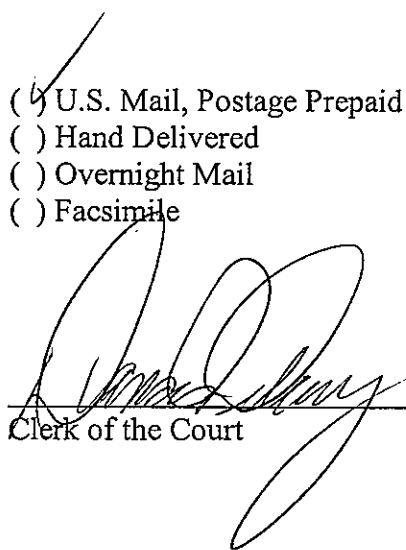
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Representing: State of Idaho
David J. Barber
Office of the Attorney General
STATE OF IDAHO
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Director
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Clerk of the Court