

RECEIVED
APR 08 2009
DEPARTMENT OF
WATER RESOURCES

Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

JOHN C. CRUDEN
Deputy Assistant Attorney General
U.S. Department of Justice
Environment and Natural Resources Division

DAVID L. NEGRI
Attorney, U.S. Dept. of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (208) 334-1936 FAX: (208) 334-1414

**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 Numbers: 27-00047 and
	)	27-12168
Case No. 39576	)	
	)	NOTICE OF VOLUNTARY
	)	DISMISSAL OF BLM'S 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 Numbers 27-00047 and 27-12168.

BLM filed an objection to 27-00047 on March 17, 2006. An Amended Director's Report, In Re SRBA, Case No. 39576, Subcase No. 27-00047 and 27-12168 issued by IDWR on February 26, 2009 and filed with the court on February 27, 2009 split off the instream stockwater portion of 27-00047 under a new water right claim numbered 27-12168, which left the diversionary irrigation portion under the original water right claim number (27-00047). Upon review of the Amended Director's Report, BLM's objection to the parent right (27-00047) was resolved because the Amended Director's Report does not include the originally recommended Place of Use describing federal public lands administered by BLM in Lot 2 (SWNE), S29, T02S, R38E within the description of 27-00047 and 27-12168.

There appearing to be good cause, the Special Master should issue an order dismissing the BLM's objection in subcase numbers 27-00047 and 27-12168, with prejudice. The filing of this Notice is not intended to affect the objections or the party status of the Bureau of Indian Affairs or the Shoshone-Bannock Tribes.

DATED this 7 day of April 2009.

Respectfully submitted,

UNITED STATES OF AMERICA



David L. Negri
Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on April 7, 2009, I served a true and correct copy of foregoing **NOTICE OF VOLUNTARY DISMISSAL OF BLM'S OBJECTION; SUBCASE NUMBERS: 27-00047 and 27-12168 and ORDER DISMISSING BLM'S OBJECTION; SUBCASE NUMBER NUMBERS: 27-00047 and 27-12168** 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 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Copies to:

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

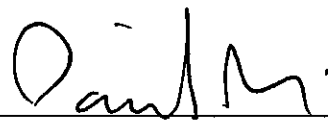
Jeanette Wolfley
202 N. Arthur
Pocatello, Idaho 83204
-attorney for Shoshone-Bannock Tribes

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

Peter C. Monson
U.S., Dept. of Justice, ENRD
999 18th Street, Suite 945
Denver, CO 80202-2439
-attorney for U.S., BIA

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

Ronald Jensen
708 E 800 N
Firth, Idaho 83236



Person serving documents

**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: 27-00047 and 27-12168
	)	
Case No. 39576	)	ORDER DISMISSING BLM'S
	)	OBJECTION
_____	)	

On April ____, 2009, the United States of America filed an Idaho R. Civ. P. 41(a)(1)(I) Notice of Voluntary Dismissal of BLM's Objection in Subcase Numbers 27-00047 and 27-12168 ("Notice") stating that the Amended Director's Report, In Re SRBA, Case No. 39576, Subcase No. 27-00047 and 27-12168 issued by IDWR on February 26, 2009 and filed with the court on February 27, 2009 resolved the United States Department of Interior, Bureau of Land Management's ("BLM") objection to 27-00047 and 27-12168.

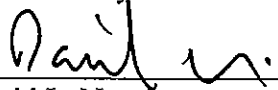
Based upon the Idaho R. Civ. P. 41(a)(1)(I) Notice of Voluntary Dismissal of BLM's Objections filed by the United States, the record herein, and there appearing to be good cause, it is

ORDERED that the BLM's objection in Subcase Numbers 27-00047 and 27-12168 are dismissed with prejudice.

DATED this ____ day of _____ 2009..

Special Master, Snake River Basin Adjudication

Submitted by:



David L. Negri
Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on _____, 2009, I served a true and correct copy of foregoing **ORDER DISMISSING BLM'S OBJECTION; SUBCASE NUMBER NUMBERS: 27-00047 and 27-12168** 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
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Jeanette Wolfley
202 N. Arthur
Pocatello, Idaho 83204
-attorney for Shoshone-Bannock Tribes

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

Peter C. Monson
U.S., Dept. of Justice, ENRD
999 18th Street, Suite 945
Denver, CO 80202-2439
-attorney for U.S., BIA

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

Ronald Jensen
708 E 800 N
Firth, Idaho 83236

Deputy Clerk