

MAY 13 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 12 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

**ORDER GRANTING MOTION TO
WITHDRAW TOM O’GARA ET.AL AS
RESPONDENTS FROM
PARTICIPATION IN OBJECTIONS
FILED IN SUBCASE NO. 37-4375**

SUBCASE NO.: 37-4375

I. PROCEDURAL BACKGROUND

A Motion to Withdraw Tom O’Gara et. al as Respondents from Participation in Objections Filed in Subcase No. 37-4375 was filed on May 1, 2009. A hearing on the *Motion* was held on May 6, 2009. There was no opposition to the *Motion*.

II. FINDING AND CONCLUSIONS

Therefore, IT IS ORDERED that Tom O’Gara, John F. Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Gerald Bashaw, and Pepin Corso-Harris shall be removed as participants in the *Response* filed January 15, 2008 and shall be **dismissed** as parties with prejudice. The Big Wood Canal Company will remain as a party to this subcase and proceed with its *Response*.

Dated: May 12, 2009.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO WITHDRAW TOM O'GARA ET AL. AS RESPONDENTS FROM PARTICIPATION IN OBJECTIONS was mailed on May 12, 2009, with sufficient first-class postage to the following:

PEPIN CORSO-HARRIS

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PETE VAN DER MEULEN
TOM O GARA

Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

KATHRYN ALLRED GARDNER
MARY ELLEN DRASHNER

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098