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DEPARTMENT OF
WATER RESOURCES

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 Number: 37-02103
	)	
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 37-02103. The Notice of Completed Administrative Proceeding, In

Re SRBA, Case No. 39576, Subcase No. 37-02103 issued by IDWR on August 27, 2009 and filed with the court on August 28, 2009 resolved the BLM's objection by re-describing the Point of Diversion (POD) from federal public land within NESWSW, S15, T01N, R13E to private land within NENW, S22, T01N, R13E.

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

DATED this 28 day of September 2009.

Respectfully submitted,

UNITED STATES OF AMERICA

David L. Negri
Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on Sept. 28, 2009, I served a true and correct copy of foregoing **NOTICE OF VOLUNTARY DISMISSAL OF OBJECTION; SUBCASE NUMBER: 37-02103 and ORDER DISMISSING OBJECTION; SUBCASE NUMBER NUMBER: 37-02103** upon the following individuals by placing the document in the United States Mail in Boise, 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

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

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

Danny & Valerie VanHorn
P.O. Box 345
Fairfield, ID 83327

John E. Robertson
Robertson & Slette, PLLC
P.O. Box 1906
Twin Falls, ID 83303-1906

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 Number: 37-02103
	)	
Case No. 39576	)	**ORDER DISMISSING OBJECTION**
	)	
_____	)	

On September _____, 2009, the United States of America filed an Idaho R. Civ. P. 41(a)(1)(i) Notice of Voluntary Dismissal of Objection in Subcase Number 37-02103 ("Notice") stating that the Notice of Completed Administrative Proceeding, In Re SRBA, Case No. 39576, Subcase No. 37-02103 issued by IDWR on August 27, 2009 and filed with the court on August 28, 2009 resolved the United States Department of Interior, Bureau of Land Management's ("BLM") objection to Subcase Number 37-02103.

Based upon the Idaho R. Civ. P. 41(a)(1)(i) Notice of Voluntary Dismissal of Objection 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 Number 37-02103 is dismissed with prejudice.

DATED this _____ day of _____ 2009.

_____
Special Master, Snake River Basin Adjudication

Submitted by:

David Negri

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 OBJECTION; SUBCASE NUMBER: 37-02103** 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

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

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Twin Falls, ID 83303-1906
Attorney for VanHorn

_____
Deputy Clerk