

DEPARTMENT OF
WATER RESOURCES

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

FEB 26 2010

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 DISMISSING RESPONSES

SUBCASE NOS.: 37-415, 37-416, and 37-12111

I. PROCEDURAL BACKGROUND

A *Joint Stipulation and Motion for Order Approving Withdrawal of Objections and Responses* (Hereafter “*Stipulation*”) was filed Dec. 21, 2009 by the Big Wood Canal Company, and Bill Molyneux, Gerald Bashaw, Grace Eakin, John F. Stevenson, Pepin Corso-Harris, Pete Van Der Meulen, Rocky Sherbine, and Tom O’Gara (hereafter “Concerned Water Users”). The *Stipulation* provided that Big Wood Canal Co. and Concerned Water Users shall withdraw their *Objections* in several subcases. ***Order Dismissing Objections and Responses.*** (January 22, 2010)

The court received e-mail correspondence from the Big Wood Canal and Concerned Water Users on February 2, 2010 informing the Court that they had wished to withdraw entirely from subcases 37-415, 37-416, and 37-12111. Big Wood Canal Company and Concerned Water Users also filed *Responses* in these subcases, and wish to withdraw all *Responses*.

II. FINDING AND CONCLUSIONS

THEREFORE, IT IS ORDERED, that the *Responses* filed by Big Wood Canal Company and Concerned Water users in water rights 37-415, 37-416 and 37-12111 are **dismissed** without prejudice. Big Wood Canal Company and Concerned Water Users will also be dismissed as parties to these subcases.

Dated: February 26, 2010.

Brigette Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING RESPONSES was mailed on February 26, 2010, with sufficient first-class postage to the following:

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