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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Newfoundland Partners, LP

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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

Case No. 39576

Subcase No. 37-00416

NOTICE OF WITHDRAWAL OF RESPONSES

COMES NOW, Newfoundland Partners, LP ("Newfoundland"), by and through its undersigned counsel of record, and hereby files this Notice of Withdrawal of Responses, for the reasons described below.

1. On or about November 14, 2007, a group of persons informally known as the "Concerned Water Users," filed a series of objections to the Director's Report and Recommendation for water right 37-00416, issued by the Idaho Department of Water Resources (the "Director's Report"), as follows: Tom O'Gara (Objection #02), John F. Stevenson (Objection #03), Bill Molyneux (Objection #04), Pete Van Der Meulen (Objection #05),

Grace Eakin (Objection #06), Rocky Sherbine (Objection #07), Gerald Bashaw (Objection #08), Pepin Corso-Harris (Objection #09), and the Big Wood Canal Company (Objection #10).

2. On or about January 14, 2008, Newfoundland duly filed its response to each of the above described objections.

3. On or about November 21, 2008, the "Concerned Water Users" filed a series of amended objections, as follows: Tom O'Gara (Objection #11), John F. Stevenson (Objection #12), Bill Molyneux (Objection #13), Pete Van Der Meulen (Objection #14), Grace Eakin (Objection #15), Gerald Bashaw (Objection #16), Pepin Corso-Harris (Objection #17), the Big Wood Canal Company (Objection #18), and Rocky Sherbine (Objection #19).

4. On or about December 19, 2008, Newfoundland duly filed its response to each of the above described amended objections.

5. On or about December 21, 2009, the parties filed a Joint Stipulation and Motion for Order Approving Withdrawal of Objections and Responses.

The Court dismissed the aforementioned objections on January 22, 2010. Therefore, Newfoundland hereby withdraws its response to each of the dismissed objections, which are numbered 02 through 10 and 11 through 19.

DATED this 21st day of April, 2010.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Tara L. Martens
Tara L. Martens – Of the Firm
Attorneys for Newfoundland Partners, LP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of April, 2010, I caused a true and correct copy of the foregoing **NOTICE OF WITHDRAWAL OF RESPONSES** to be served by the method indicated below, and addressed to the following:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720
Fax: (208) 287-6700

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Craig D. Hobdey
HOBDEY & HOBDEY
125 5th Ave W
P.O. Box 176
Gooding, ID 83330
Fax: (208) 934-4420
Representing: Big Wood Canal Company

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Albert P. Barker
BARKER RSHOLT & SIMPSON
1010 W Jefferson, Suite 102
P.O. Box 2139
Boise, ID 83701-2139
*Representing: Concerned Water Users,
Bill Molyneux, Gerald Bashaw, Grace Eakin,
John F. Stevenson, Pepin Corso-Harris,
Pete Van Der Meulen,, Rocky Sherbine, and
Tom O'Gara*

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☐ Facsimile


Tara L. Martens