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DEPARTMENT OF
WATER RESOURCES

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

JAN 23 2012

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

-) Subcase Nos.: 83-7017, 83-7028, 83-7029,
) 83-11873, 83-11874, 83-11875, 83-11876
) and 83-11877
)
) ORDER GRANTING MOTION TO
) WITHDRAW
)
) ORDER VACATING HEARING

On November 22, 2011, the United States of America, acting through the Army Corps of Engineers ("Claimant") filed a *Motion to File Late Notice of Claim* for each of the above-captioned water right claims associated with the Dworshak Dam and Reservoir Project. On December 1, 2011, the Court issued a *Notice* setting a hearing on the *Motions* for Tuesday, February 21, 2012 at 1:30 p.m. On January 23, 2012, Claimant filed a *Motion to Withdraw Standard Forms 4* in each of the above-captioned subcases, requesting to withdraw each respective *Late Notice of Claim*. It is Claimant's position, as stated in its *Motion to Withdraw*, that it does not need, and did not intend, to assert water rights associated with the Dworshak Dam and Reservoir Project in the SRBA, and that the *Motions to File Late Notice of Claim* were submitted as a matter of comity for informational purposes only. The Court notes that no responsive pleading has been filed by any party at this time.

THEREFORE, THE FOLLOWING ARE HEREBY ORDERED:

1. Claimant's *Motion to Withdraw* its *Motions to File Late Notice of Claim* in the above-captioned subcases **is hereby granted**. The *Motions to File Late Notice of Claim* are dismissed without prejudice.
2. The hearing on the *Motions to File Late Notice of Claim* set for February 21, 2012 **is hereby vacated**.

Dated January 23, 2012


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO WITHDRAW / ORDER VACATING HEARING was mailed on January 23, 2012, with sufficient first-class postage to the following:

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