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OFFICE OF THE
ATTORNEY GENERAL

**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 No.: 34-00767
	)	
Case No. 39576	)	ORDER DISMISSING UNITED
	)	STATES' OBJECTION and
	)	DISMISSING UNITED STATES AS
	)	PARTY TO SUBCASE; and
	)	REQUIRING STANDARD FORM 5

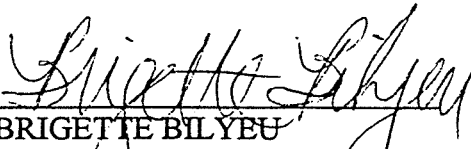
According to the Director's Report, Water Right Number 34-00767 was claimed by Clint and Esther Bitton. Two objections to this water right were filed February 26, 1993, one by the United States Department of Justice, Environment and Natural Resources Division and the other by the United States Bureau of Land Management. The State of Idaho Department of Water Resources filed responses on June 4, 1993. The Bitton's also filed responses on June 28, 1993. Subsequently, on February 3, 1995 the United States filed its *Stipulated Motion to Withdraw Objections (Stipulated Motion)* stating, "That all objections in the pending subcase are withdrawn by the United States and dismissed with prejudice" The Signatories to the *Stipulated Motion* are Clint and Esther Bitton, The United States, and The Idaho Department of Water Resources.

The court will treat the *Stipulated Motion* as a request by the United States to withdraw as a party to this subcase, and dismiss both objections with prejudice. No party to this subcase has filed an objection or other pleading responding to the *Stipulated Motion*.

Therefore, based on the file and record herein, and good cause appearing, IT IS ORDERED that the United States is **dismissed as a party** to this subcase. IT IS FURTHER ORDERED that both objections filed by the United States are **dismissed with prejudice**.

IT IS SO ORDERED.

DATED: September 20, 1995.


BRIGETTE BILYEU
Special Master, Reporting Area 1
Snake River Basin Adjudication

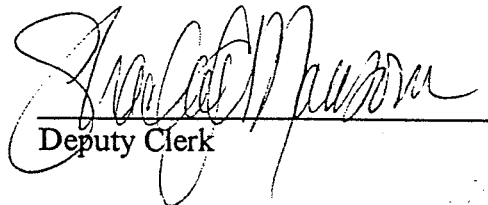
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION and DISMISSING UNITED STATES AS PARTY TO SUBCASE; and REQUIRING STANDARD FORM 5** was mailed on September 20, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Clint & Esther Bitton
Star Route
Mackay, ID 83251


Deputy Clerk