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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

ORDER DISMISSING UNITED STATES' OBJECTION Fifth Judicial District County of Twin Falls, State of Idaho	
FEB 25 1995	
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 No.: 34-00769

)
) 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 34-00769 was claimed by Clint and Esther Bitton. The only objection to this water right was filed February 26, 1993 by the United States Dept. of Justice, Environment & Natural Resources Division. The State of Idaho Department of Water Resources filed a response on June 4, 1993. Claimants, Clint and Esther Bitton, filed a response on June 28, 1993. Subsequently, on February 3, 1995, the United States filed its *Stipulated Motion to Withdraw Objection (Stipulation)* stating that the parties, "stipulate and agree to the withdrawal of the United States' objections under the following conditions." The signatories are Esther and Clint Bitton, the State of Idaho Department of Water Resources, and the United States.

The court will treat the *Stipulation* as a request by the parties to allow the United States to withdraw as a party to this subcase, and dismiss its objection with prejudice.

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 the objection filed by the United States is dismissed with prejudice.

OBJECTION
FEB 25 1995
JUL 10 1995
JUL 10 1995

IT IS ORDERED that the remaining parties to this subcase shall submit a *Standard Form 5, Proposed Elements of a Water Right* no later than **March 31, 1995**.

IT IS SO ORDERED.

DATED February 24, 1995.



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

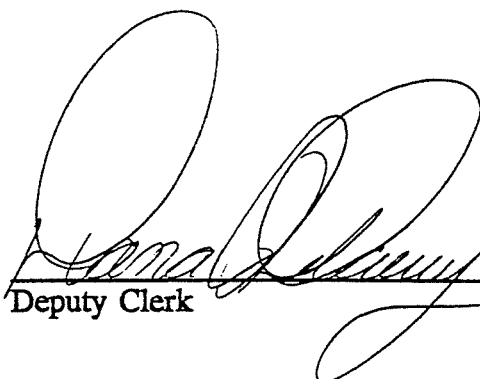
CERTIFICATE OF MAILING

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 February 24, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

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

Esther & Clint Bitton
Star Route
Mackay, ID 83251



Deputy Clerk