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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED - *Sm*

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.: 34-00591
Case No. 39576) **ORDER DISMISSING UNITED
STATES' OBJECTION and
DISMISSING UNITED STATES AS
PARTY TO SUBCASE**

According to the Director's Report, Water Right Number 34-00591 was claimed by Milton H. and Evelyn J. Reese. The only objection to this water right was filed February 26, 1993 by the United States Department of Justice, Environment and Natural Resources Division on the basis that the United States did not agree with the priority date listed in the Director's Report. The State of Idaho Department of Water Resources filed a response on June 4, 1993. Subsequently, on January 30, 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*Stipulated Motion to Withdraw Objections (Stipulated Motion)* stating, "That all objections in the pending subcase are withdrawn by the United States and dismissed with prejudice.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 Milton and Evelyn Reese, 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 its objection 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 the objection filed by the United States is **dismissed with prejudice**.

IT IS SO ORDERED.
DATED: October 25, 1995

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

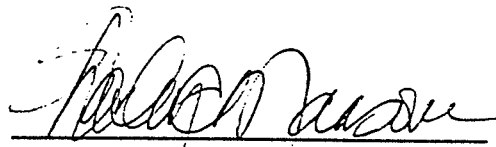
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTION and DISMISSING UNITED STATES AS PARTY TO SUBCASE** was mailed on October 25, 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

Milton & Evelynn Reese
Route 1, Box 1372
Paul, ID 83347


Deputy Clerk