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Department of Water Resources  
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OFFICE OF THE  
ATTORNEY GENERAL

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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     | ) |                             |
|                | ) | Subcase No. 34-04190        |
| Case No. 39576 | ) |                             |
|                | ) | MOTION TO DISMISS OBJECTION |
| _____          | ) |                             |

Descriptive Summary

This is the United States' Motion to Dismiss Objection.

I. DISCUSSION

The United States hereby moves to dismiss its objection in the above-referenced subcase. In support of this motion the United States states that:

1. The United States, on behalf of the Bureau of Land Management, filed its claim in this subcase within the time prescribed by the Court for Reporting Area 01, Basin 34.

2. The claim was recommended by IDWR as claimed.

3. Following the issuance of the Director's Report, it appeared that there had been an error as to the priority date claimed. Specifically, the United States had claimed a priority date of June 28, 1934 although it had meant to claim a priority date of January 1, 1884.

4. As a result of what appeared to be an error and pursuant to direction from the Court, the United States, on behalf of the Bureau of Land Management, filed an objection to this claim.

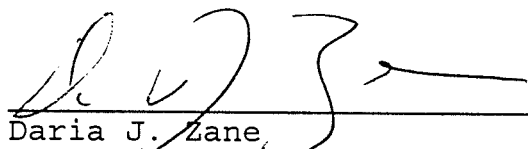
5. The United States has decided to forego pursuing the objection and will agree to have the water right decreed with a 1934 priority date.

6. IDWR had recommended this claim with the 1934 priority date.

## II. CONCLUSION

WHEREFORE, for the foregoing reasons, the United States respectfully requests that the Court grant this motion and dismiss its objection to this water right claim and decree the water right as recommended by IDWR.

Respectfully submitted this 5th day of December, 1995.



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|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | Subcase No. 34-04190     |
|                | ) |                          |
| Case No. 39576 | ) | ORDER GRANTING MOTION TO |
|                | ) | DISMISS OBJECTION        |
|                | ) |                          |
| _____          | ) |                          |

ORDER

This matter having come before the Court upon motion of the United States to dismiss its objection in the above-captioned subcase, and good cause having been shown,

IT IS HEREBY ORDERED that the United States' motion should be and hereby is GRANTED. The United States' objection in this subcase shall be deemed DISMISSED.

DATED and signed this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
BRIGETTE BILYEU  
Special Master

CERTIFICATE OF SERVICE

I certify that on the 5th day of December, 1995, I served a true and correct copy of the United States' Motion to Dismiss Objection in Subcase 34-04190, First Class, Postage Paid Mail upon the following individuals:

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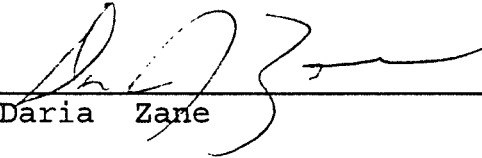
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