

NO. PHIL
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A.M. 3:52 P.M.

JAN 12 2006

J. DAVID NAVARRO, Clerk
By [Signature] DEPUTY

37-7460

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

RECEIVED

JAN 17 2006

DEPARTMENT OF
WATER RESOURCES

FRANK ASTORQUIA,
Petitioner

Case No. CV OC 02 08301

vs.

ORDER DISMISSING APPEAL

STATE OF IDAHO, DEPARTMENT OF
WATER RESOURCES.
Respondents.

Based on matters discussed at the Status Conference conducted on September 19, 2005, this matter is dismissed without prejudice. This matter is remanded to the Department of Water Resources with full authority to consider further proceedings consistent with the intention stated by both counsel at the aforementioned status conference.

IT IS SO ORDERED.

Dated this 12th day of January, 2006.

[Signature]
D. DUFF MCKEE
Senior District Judge

CERTIFICATE OF MAILING

I hereby certify that on this 12th day of January 2006, I mailed a true and correct copy of the within instrument to:

JOSEPHINE P BEEMAN
BEEMAN & ASSOCIATES PC
409 WEST JEFFERSON STREET
BOISE IDAHO 83702-6049

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J. DAVID NAVARRO
Clerk of the District Court

By: *Shirley Lyke*
Deputy Court Clerk