

In the Supreme Court of the State of Idaho

IN THE MATTER OF THE PETITION FOR)
 DELIVERY CALL OF A&B IRRIGATION)
 DISTRICT FOR DELIVERY OF GROUND)
 WATER AND FOR THE CREATION OF A)
 GROUND WATER MANAGEMENT AREA.)

-----)
 A&B IRRIGATION DISTRICT,)

Petitioner-Appellant,)

v.)

THE IDAHO DEPARTMENT OF WATER)
 RESOURCES and GARY SPACKMAN in his)
 capacity as Interim Director of the THE)
 IDAHO DEPARTMENT OF WATER)
 RESOURCES,)

Respondents,)

and)

IDAHO GROUND WATER)
 APPROPRIATORS, INC., and THE CITY OF)
 POCATELLO,)

Intervenors-Respondents.)

ORDER GRANTING STIPULATION)
 TO DISMISS)

Supreme Court Docket No. 41069-2013)
 Snake River Basin Adjudication No.)
 2011-512)

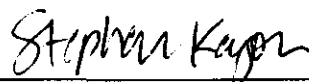
Ref. No. 13-591)

The above entitled appeal was set to be heard during the February, 2014 term of court in Boise, Idaho. Thereafter, a STIPULATION TO DISMISS APPEAL was filed by counsel for Appellant on December 4, 2013, requesting that this Court order the dismissal of the above-captioned action in accordance with terms stipulated to by the parties. Thereafter, CITY OF POCATELLO'S RESPONSE PURSUANT TO I.A.R. 33 AND 32 TO DECEMBER 4, 2013 STIPULATION TO DISMISS APPEAL was filed by counsel for City of Pocatello on December 9, 2013. The Court is fully advised; therefore, good cause appearing,

IT HEREBY IS ORDERED that the STIPULATION TO DISMISS APPEAL be, and hereby is, GRANTED and the above entitled appeal is DISMISSED and the matter is REMANDED to the district court so that the terms and conditions listed in the parties' stipulation may be carried out. Each party shall bear their own costs and fees incurred in this appeal.

DATED this 8th day of January, 2014.

By Order of the Supreme Court



Stephen W. Kenyon, Clerk

cc: Counsel of Record
District Court Clerk
District Court Judge Eric J. Wildman