

RECEIVED

JUL 10 2008

DEPARTMENT OF WATER RESOURCES

FILED-303... CASE #...

2008 JUL -8 AM 10:03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

DUANE J. ... DEPUTY

A&B IRRIGATION DISTRICT,
Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER RESOURCES,

Respondent.

CASE NO. CV-2008-465

ORDER APPROVING STIPULATION AND DISMISSING PETITION WITHOUT PREJUDICE

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

On July 3, 2008, the parties filed a Stipulation for Dismissal and Joint Motion for Order Approving Stipulation and Dismissing Petition Without Prejudice. The Court, having reviewed the Stipulation and being fully informed as to the issues raised, hereby approves the Stipulation and ORDERS that Petitioner A&B Irrigation District's Petition be dismissed in its entirety without prejudice pursuant to the terms of the Stipulation. Each party to bear its own costs and attorneys fees.

DATED this 7th day of July 2008.

[Handwritten signature]

Hon. Michael Crabtree
District Judge

FILED-DISTRICT COURT  
CASE # \_\_\_\_\_

2008 JUL -8 AM 11:51

DUANE SMITH, CLERK  
\_\_\_\_\_, DEPUTY

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 8 day of Julyy, 2008 , she caused a true and correct copy of the foregoing ORDER APPROVING STIPULATION AND DISMISSING PETITION WITHOUT PREJUDICE to be served upon the following persons in the following manner:

Defendant's Counsel

Roger D. Ling  
ATTORNEY AT LAW  
P.O. BOX 628  
Rupert, ID. 83350

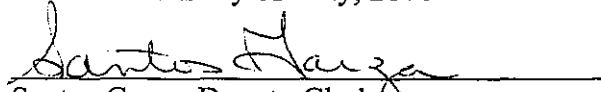
( x ) First Class Mail  
( ) Hand Deliver  
( ) Facsimile # \_\_\_\_\_

Plaintiff's Counsel

Phillip J. Rassier  
DEPUTY ATTORNEY GENERAL  
P.O. Box 83720  
Boise, ID. 83720-0098

( x ) First Class Mail  
( ) Hand Deliver  
( ) Facsimile # \_\_\_\_\_

Dated this 8th day of July, 2008

  
Santos Garza, Deputy Clerk