

IN THE SUPREME COURT OF THE STATE OF IDAHO

JOHN HASTINGS, JR.,

Plaintiff-Counterdefendant-
Appellant,

v.

IDAHO DEPARTMENT OF WATER
RESOURCES, a political subdivision
of the STATE OF IDAHO,

Defendant-Counterclaimant-
Respondent.

**Order Withdrawing Conditional
Dismissal and Reinstating Appeal**

Supreme Court Docket No. 50273-2022

Ada County District Court No.
CV01-21-17825

An Order Conditionally Dismissing Appeal was issued on December 20, 2022, and this appeal was suspended for twenty-one (21) days for entry of a partial judgment in the District Court in compliance with I.R.C.P. 54(b)(1) or, filing of a Response with this Court as to why this appeal should not be dismissed.

WHEREAS, an Amended Partial Judgment with Rule 54(b) Certificate, in compliance with I.R.C.P. 54(b)(1), having been filed in the District Court on December 20, 2022; therefore,

IT IS HEREBY ORDERED that the Order Conditionally Dismissing Appeal issued by this Court on December 20, 2022, is withdrawn and this appeal shall be reinstated. An Amended Notice of Appeal may be filed in the District Court to specify the judgment from which this appeal is being taken.

IT IS FURTHER ORDERED that the designated Court Reporters shall prepare the Transcripts identified in the Notice of Appeal and submit them to the District Court Clerk along with a Notice of Lodging on or before Monday, January 23, 2023. The District Court Clerk shall prepare a Clerk's Record to include the documents requested in the Notice of Appeal and the Clerk's Record and Reporters' Transcripts shall be filed with this Court by February 27, 2023.

DATED this 22nd day of December, 2022.

For the Supreme Court



Melanie Gagnepain, Clerk