

JUL 19 2019

By _____

Clerk

Deputy Clerk

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

Case No. 39576

-) Subcase Nos. 63-33732, 63-33733, 63-33734,
-) 63-33737, and 63-33738
-)
-) ORDER GRANTING MOTION TO
-) DISALLOW
-)
-) FINAL ORDER DISALLOWING
-) WATER RIGHT CLAIMS

On February 19, 2019, the State of Idaho filed a *Motion to Disallow* the above-captioned water right claims. The *Motion* is filed pursuant to a stipulated settlement entered into by the parties. The Court has set forth the background behind that settlement, and the proceedings underlying that settlement, in two *Orders*. The first is the Court's *Order Denying Motions to Participate* entered in SRBA Subcase Nos. 63-33732, et seq., on July 8, 2019. The second is the Court's *Order Granting Motion to Alter or Amend Partial Decree* entered in SRBA Subcase Nos., 63-303, et seq., contemporaneously herewith. Rather than repeat the backgrounds set forth in those *Orders* the Court incorporates them herein by reference. A hearing on the State's *Motion* was held before the Court on July 16, 2019. For the reasons set forth on the record the Court in an exercise of its discretion granted the *Motion*.

Therefore, IT IS ORDERED that the State of Idaho's *Motion to Disallow Water Right Claim Nos. 63-33732, 63-33733, 63-33734, 63-33737, and 63-33738* is hereby granted.

IT IS FURTHER ORDERED that the above water right claims are hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

DATED: July 19, 2019.

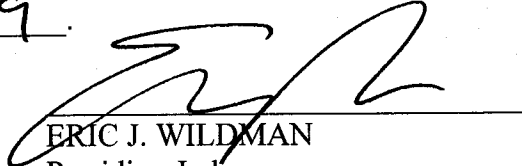


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED July 19, 2019.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO DISALLOW / FINAL ORDER DISALLOWING WATER RIGHT CLAIMS was mailed on July 19, 2019, with sufficient first-class postage to the following:

ALBERT P BARKER
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707
Phone: 208-629-7447

ANDREW J WALDERA
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707
Phone: 208-629-7447

ERIKA E MALMEN
PERKINS COIE LLP
1111 W JEFFERSON ST STE 500
PO BOX 737
BOISE, ID 83701-0737
Phone: 208-343-3434

ANGELA SCHAEER KAUFMANN
101 S CAPITOL BLVD, 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

FRITZ X HAEMMERLE
HAEMMERLE LAW OFFICE
PO BOX 1800
HAILEY, ID 83333
Phone: 208-578-0520

CANDICE M MCHUGH
380 S 4TH STREET STE 103
BOISE, ID 83702
Phone: 208-287-0991

GERMAINE, ABIGAIL R
BOISE CITY ATTORNEY'S OFFICE
150 N CAPITOL BLVD
PO BOX 500
BOISE, ID 83701-0500
Phone: 208-384-3870

CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

JERRY A. KISER
620 WEST HAYES
BOISE, ID 83702
Phone: 208-336-1020

CHRIS M BROMLEY
380 S 4TH STREET STE 103
BOISE, ID 83702
Phone: 208-287-0991

JOHN K SIMPSON
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CHRISTOPHER H MEYER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

MATTHEW J MC GEE
SPINK BUTLER LLP
PO BOX 639
BOISE, ID 83701
Phone: 208-388-1000

D. KIRK BYBEE
PO BOX 4169
POCATELLO, ID 83201
Phone: 208-234-6148

MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

DANIEL V STEENSON
ORDER

(Certificate of mailing continued)

S. BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707
Phone: 208-629-7447

SARAH A KLAHN
SOMACH SIMMONS & DUNN
2701 LAWRENCE ST, STE 113
DENVER, CO 80205
Phone: 720-279-7868

SCOTT L CAMPBELL
CAMPBELL LAW CHTD
PO BOX 170538
BOISE, ID 83717
Phone: 208-949-0599

SHELLEY M DAVIS
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

TRAVIS L THOMPSON
163 2ND AVENUE WEST
PO BOX 63
TWIN FALLS, ID 83303-0063
Phone: 208-733-0700

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

