

October 8, 2009

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

CITY OF HUGO, an Oklahoma municipality; HUGO MUNICIPAL AUTHORITY, an Oklahoma Public Water Trust for the benefit of the City of Hugo, Oklahoma,

Plaintiffs - Appellees,

and

CITY OF IRVING,

Plaintiff-Intervenor - Appellee,

v.

JESS MARK NICHOLS; RUDOLF JOHN HERRMANN; ED FITE; FORD DRUMMOND; JACK W. KEELEY; KENNETH W. KNOWLES; LINDA LAMBERT; LONNIE FARMER; RICHARD SEVENOAKS, in their official capacities as members of the Oklahoma Water Resources Board and the Oklahoma Water Conservation Storage Commission,

Defendants - Appellants.

No. 09-7047
(D.C. No. 6:08-CV-00303-RAW)

ORDER

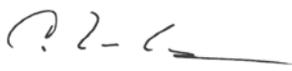
This matter is before the court on the appellants' unopposed motion for

voluntary dismissal of this appeal, filed pursuant to Fed. R. App. P. 42 (b).

The appeal is dismissed pursuant to Fed. R. App. P. 42 (b).

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court
ELISABETH SHUMAKER, Clerk of Court

by: 
Christine Van Coney
Counsel to the Clerk