IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MEDFORD DIVISION

DEER CREEK VALLEY NATURAL RESOURCE CONSERVATION ASSOCIATION,

Plaintiff,

v.

UNITED STATES BUREAU OF LAND MANAGEMENT,

Defendant.

and
MURPHY COMPANY,

Intervenor Defendant

1:12-cv-1596-CL

**ORDER**

**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation (#81), and the matter is now before this court.

See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff filed objections (#83) and Defendants have responded to those objections (## 84, 86) and I have reviewed the file of this case *de novo*. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981).

I have given this matter *de novo* review. I find no error. Accordingly, I ADOPT the Report and Recommendation (#81). Plaintiff's Motion for Summary Judgment (#19) is DENIED. Intervenor Defendant Murphy Company's Motion for Summary Judgment (#37) is GRANTED.

IT IS SO ORDERED.

DATED this 4 day of February, 2014.

OWEN M. PANNER
U.S. DISTRICT JUDGE