

Names of Parties Filing Document:

UNITED STATES OF AMERICA

CHARLES R. WARD
JANET O. WARD

Attorneys' Names and Addresses:

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**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

) Subcase Number: 43-11297

)

) **STIPULATION TO RESOLVE UNITED**

Case No. 39576

) **STATES' OBJECTION**

)

The United States of America and Charles R. and Janet O. Ward (hereinafter "Claimants")

agree and stipulate to resolve the United States Department of the Interior, Bureau of Land

Management (hereinafter "BLM") objection to the above-captioned Subcase as follows:

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STIPULATION

WHEREAS, the United States recognizes the significant role of the livestock industry in the settlement, history and culture of Idaho; and,

WHEREAS, the United States and the Claimants recognize the importance of the stockwater right at issue in this subcase to the livestock industry in Idaho and the BLM grazing program; and,

WHEREAS, the United States and the Claimants wish to resolve the objection regarding ownership of this stockwater right without further litigation, expense and delay;

Therefore, the Claimants and the United States of America stipulate and agree as follows:

1. The United States and the Claimants agree and stipulate that water right claim number 43-11297 shall be described in accordance with the Standard Form 5, Subcase 43-11297 filed herewith.
2. The parties agree that the United States is the sole owner of water right claim number 43-11297. For this water right, the purpose of use is the watering of livestock owned by persons holding BLM-issued grazing permits. The stockwater purpose of use for water right claim number 43-11297 shall not be changed so long as a valid BLM-issued grazing permit exists for the land on which this water right is located.
3. Nothing in this stipulation shall prevent the BLM from administering the use of a grazing allotment and its associated water rights in accordance with applicable law, including taking such administrative actions as changing the boundaries of grazing allotments or modifying or terminating BLM-issued grazing permits.

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4. This stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

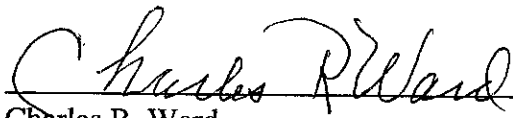
5. All parties agree to bear their own costs and attorney fees.

Respectfully submitted:

CLAIMANTS:

CHARLES R. WARD

JANET O. WARD


Charles R. Ward

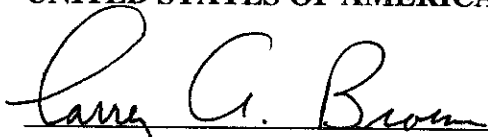
DATED: Aug 11 '02


Janet O. Ward

DATED: 8/14/02

OBJECTOR:

UNITED STATES OF AMERICA


Larry A. Brown *Fwp*
Of Attorneys for the United States

DATED: 8/13/02

8/21 MB
CERTIFICATE OF SERVICE

I certify that on Aug. 13, 2002, I served a true and correct copy of fore-going **STIPULATION TO RESOLVE UNITED STATES' OBJECTION; SUBCASE NUMBER 43-11297** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

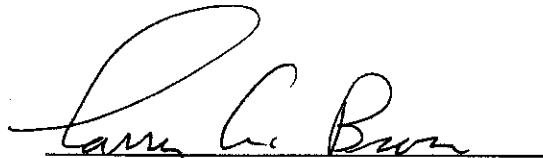
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

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Larry A. Brown