

FEB 14 2006

DEPARTMENT OF
WATER RESOURCES

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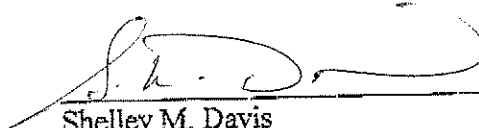
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos. 45-10480, 45-10481,
	)	45-10502, 45-12906 and 45-13669
	)	
	)	STIPULATION TO REMOVE SUB-CASE
	)	NO. 45-13669 FROM THE TRIAL
Case No. 39576	)	SCHEDULE PRESENTLY ADOPTED FOR
	)	SUB-CASE NOS. 45-10480, 45-10481, 45-
	)	10502 AND 45-12906
	)	
	)	

Upon conferring with all counsel to the above-entitled sub-cases it has become clear that due to Objector/Claimant Earl Warthen's pending Motion to Amend his claim number 45-13669 that it would be inappropriate to proceed in that sub-case with the trial schedule currently in place for sub-case numbers 45-10480, 45-10481, 45-10502 and 45-12906. Therefore, counsel for all parties agree to remove 45-13669 from the litigation concerning the other sub-cases and let it take its course through the Motion to Amend proceedings.

The trial scheduled currently adopted in sub-case numbers 45-10480, 45-10481, 45-10502 and 45-12906 shall proceed as set forth in this Court's order of February 2, 2006.

Dated this 9th day of February 2006.


Shelley M. Davis
Counsel for Earl Warthen

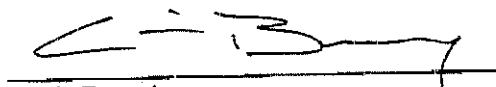
Dated this ____ day of February 2006.

Michael Tribe
Counsel for Norman, Dolores and Kevin
Smyer

Dated this ____ day of February 2006.

David Negri
Counsel to the United States Forest Service

Dated this 9th day of February 2006.


Chris Bromley
Counsel to the Idaho Department of
Water Resources

Dated this _____ day of February 2006.

Shelley M. Davis
Counsel for Earl Warthen

Dated this 9th day of February 2006.


Michael Tribe
Counsel for Norman, Dolores and Kevin
Smyer

Dated this _____ day of February 2006.

David Negri
Counsel to the United States Forest Service

Dated this _____ day of February 2006.

Chris Bromley
Counsel to the Idaho Department of
Water Resources

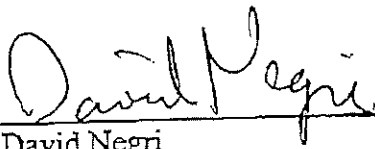
Dated this ____ day of February 2006.

Shelley M. Davis
Counsel for Earl Warthen

Dated this ____ day of February 2006.

Michael Tribe
Counsel for Norman, Dolores and Kevin
Smyer

Dated this 9 day of February 2006.



David Negri
Counsel to the United States Forest Service

Dated this ____ day of February 2006.

Chris Bromley
Counsel to the Idaho Department of
Water Resources

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of February 2006, I served a true and correct copy of the foregoing *Stipulation to Remove Sub-Case No. 45-13669* on the following by U.S. Mail, postage prepaid:

Original to:

Clerk
Fifth Judicial District Court
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

Counsel for the Objector/Claimants:

Michael Tribe
Ling, Robinson & Walker
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Rupert, ID 83350

Counsel for Participant:

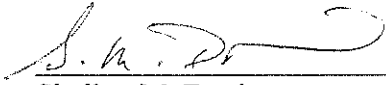
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Copies to:

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Shelley M. Davis