

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 NO: See Attachment

STIPULATION TO RESOLVE
OBJECTION

The claimant and IDWR agree and stipulate that the City of Pocatello's objection requesting the following remark should not be added to the water right recommendations.

The City of Pocatello's water supply system for distribution of all of its ground water and surface water supplies includes various reservoir and tank storage facilities, which are capable of being fully recharged by the quantity of water available in a 24-hour period from all of the city's sources of water. The right to use such storage facilities is therefore a part of each of the city's water rights.

The claimant and IDWR agree that no change to the recommendations of the City's water rights are required by this Stipulation.

The parties and IDWR acknowledge that the other objections filed by the City of Pocatello to any other elements and/or general provisions and the related responses are still outstanding.

CLAIMANT/OBJECTOR:

OBJECTOR/RESPONDENT:

Josephine P. Beeman
City of Pocatello

5/31/2005
Date United States

5/19/2006
Date

RESPONDENT:

David J. Bobb
State of Idaho

3/16/2005
Date

IDWR CONCURRENCE:

Carter Fritschle
Carter Fritschle
Adjudication Supervisor, IDWR

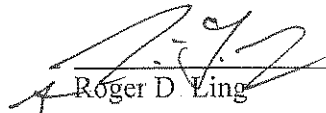
6-8-02
Date

Candice M. McHugh
Candice M. McHugh
Attorney for IDWR

6/7/04
Date

RESPONDENTS:

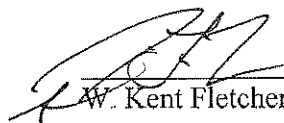
A & B Irrigation District
Burley Irrigation District


Roger D. Ling
9/7/06
Date

American Falls Reservoir District #2


C. Tom Arkoosh
9/7/06
Date
Jay J. Kiiha

Minidoka Irrigation District


W. Kent Fletcher
9/7/06
Date

Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company


John A. Rosholt
9/7/06
Date
John K. Simpson
Travis L. Thompson
Paul L. Arrington

ATTACHMENT A

29-271
29-272
29-273
29-2274
29-2338
29-2354
29-2382
29-2401
29-2499
29-4221
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CERTIFICATE OF SERVICE

I certify that on September 19, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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. Copies to:

AMERICAN FALLS RESERVOIR
Represented by:
C. THOMAS ARKOOSH
301 MAIN STREET
PO BOX 32
GOODING, ID 83330

AMERICAN FALLS RESERVOIR
Represented by:
DAVID HEIDA
116 4TH AVE W
PO BOX 32
GOODING, ID 83330

CITY OF POCATELLO
Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D LING
615 H ST
PO BOX 396
RUPERT, ID 83350-0396

CITY OF POCATELLO

Represented by:
SARAH A KLAHN
WHITE & JANKOWSKI LLP
KIT TREDGE BUILDING
511 16TH ST STE 500
DENVER, CO 80202

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
TWIN FALLS, ID 83301-6167

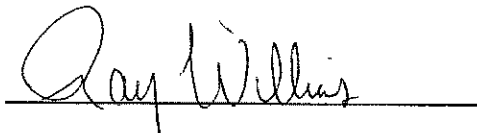
UNITED STATES OF AMERICA

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W. KENT FLETCHER
PO BOX 248
BURLEY, ID 83318

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

A handwritten signature in cursive script, reading "Ray Williams", is written over a solid horizontal line.