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JUN 17 2006

DEPARTMENT OF
WATER RESOURCES

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 NO: 29-4221

Case No. 39576

STIPULATION TO RESOLVE
OBJECTION

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process; according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The claimant and IDWR agree and stipulate that the stipulation will only resolves the objection by the City of Pocatello to the following element(s):

priority date, change to 08/02/1943.

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. The parties and IDWR have further indicated their concurrence by their signatures below and by initialing each of the attached pages.

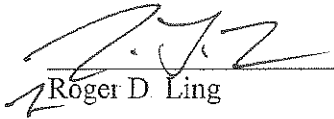
CLAIMANT/OBJECTOR:

RESPONDENT:

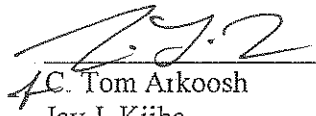
Jacqueline P. Coleman 5/30/2006 *John C. Mann* 5/19/2006
City of Pocatello Date United States Date

RESPONDENTS:

A & B Irrigation District
Burley Irrigation District

 9/12/06
Roger D. Ling Date

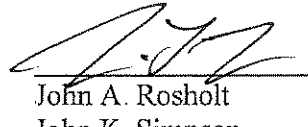
American Falls Reservoir District #2

 9/19/06
C. Tom Arkoosh Date
Jay J. Kiiha

Minidoka Irrigation District

 9/14/06
W. Kent Fletcher Date

Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company

 9/14/06
John A. Rosholt Date
John K. Simpson
Travis L. Thompson
Paul L. Arrington

RESPONDENT:

David J. Barber 3/16/2005
State of Idaho Date

IDWR CONCURRENCE:

Carter Fritschle 7-6-06
Carter Fritschle Date
Adjudication Supervisor, IDWR

Candice M. McHugh 6/30/06
Candice M. McHugh Date
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4221
NAME AND ADDRESS: CITY OF POCAIELLO
PO BOX 4169
POCATELLO ID 83205

PRIORITY DATE: 08/02/1943
~~06/01/1945~~

557

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 POCA TELLO
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 POCA TELLO

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

