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DEPARTMENT OF
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Attorneys for Claimant/Responding Party

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 Nos. 63-31194A & 63-31194B

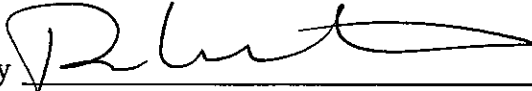
STIPULATION TO VACATE AND
RESET INITIAL HEARING

COME NOW, Claimant/Responding Party, Sundance Investments Ltd. Partnership, by and through its attorneys of record, Richard W. Stover of Eberle, Berlin, Kading, Turnbow & McKlveen, Chartered, and Objector, Darwin McKay, by and through his attorney of record, Jon C. Gould of Ringert Clark, Chartered, and hereby submit this Stipulation to vacate and reset the Initial Hearing, which is currently scheduled for June 6, 2008 at 9:00 a.m. before Special Master, Theodore R. Booth. The reason basis for this stipulation is that Claimant/Responding Party's attorney has a scheduling conflict that cannot be reconciled. Based on the Clerk of the Court's

representations, the Parties understand that the Initial Hearing will be reset in the next round of hearings to take place in Nampa, Idaho.

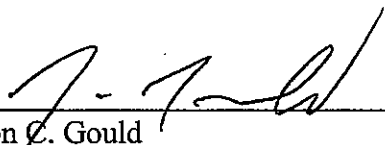
DATED this 9th day of May, 2008.

**EBERLE, BERLIN, KADING, TURNBOW,
& McKLVEEN, CHARTERED**

By 
Richard W. Stover, of the firm
Attorneys for Claimant/Responding Party,
Sundance Investments Ltd. Partnership

DATED this 9th day of May, 2008.

RINGERT CLARK, CHARTERED

By 
Jon C. Gould
Attorney for Objector, L. Darwin McKay

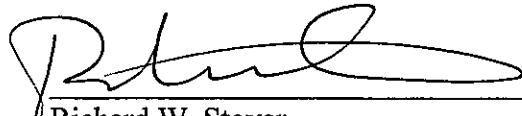
CERTIFICATE OF MAILING

I certify that a true and correct copy of the STIPULATION TO VACATE AND RESET INITIAL HEARING was mailed on May 12th, 2008, with sufficient first-class postage prepaid to the following:

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

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098


Richard W. Stover