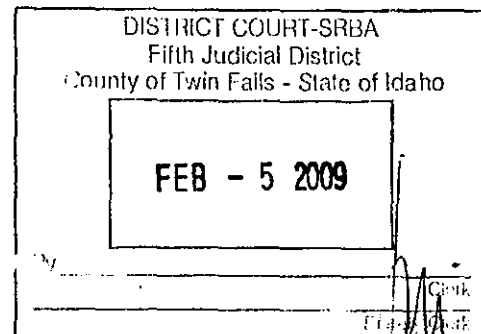


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Kevin Tlucek and DBSI Tiegs 979, LLC

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18946.0126



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. 63-02529 63-03163
63-03274 63-03323
63-03324 63-09109
63-10435

**STIPULATION FOR WITHDRAWAL
OF WATER RIGHT 63-9109 FROM
CONSOLIDATED PROCEEDING**

Claimant/Objector Pioneer Irrigation District and Respondent State of Idaho,
through undersigned counsel of record, and pursuant to Idaho Rule of Civil Procedure 6(e)(3)
and Rules 1(a) and 11 of this Court's Administrative Order 1, hereby agree to the withdrawal of
water right 63-9109 from this consolidated proceeding to address the validity of annual diversion

**STIPULATION FOR WITHDRAWAL OF WATER
RIGHT 63-9109 FROM CONSOLIDATED PROCEEDING - 1**

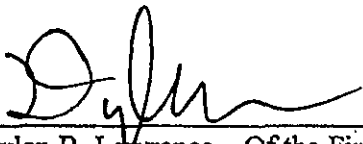
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volume limitations on previously licensed water rights, established by this Court's Order Granting Joint Stipulation and Motion for Order Governing Consolidated Proceedings of November 3, 2008.

A hearing is not requested on this matter unless the court so desires.

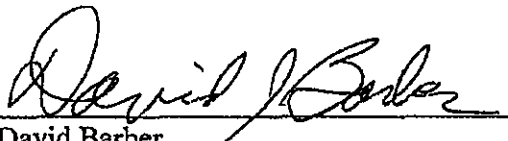
DATED this 4th day of February, 2009.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Dylan B. Lawrence – Of the Firm
Attorneys for Claimants Pioneer
Irrigation District, Jerry L. Tlucek,
MaryLou Tlucek, Shelly Tlucek, Byron
Tlucek, Rebekah Tlucek, Kevin Tlucek
and DBSI Tiegs 979, LLC

DATED this 7th day of February, 2009.

STATE OF IDAHO

By 
David Barber
Deputy Attorney General