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DEPARTMENT OF  
WATER RESOURCES

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JASON E. FLAIG

July 23, 2009

Idaho Department Of Water Resources  
C/O Victoria Wigle  
322 E. Front Street  
Boise, ID 83720

Re: SRBA Case No. 39576, Subcases: 63-198AJ, 63-199B, 63-200B,  
63-2392B, 63-2968 and 63-30181

Dear Department:

Enclosed is an original and one copy of a *Request to the Idaho Department of Water Resources to Maintain Resolution in Water Right Files and Database* in the above captioned matter. Please file the original, conform the copy, and return the conformed copy to this office in the pre-addressed, stamped envelope provided.

Yours very truly,

*Mary Taddicken*

MARY TADDICKEN  
Legal Assistant to Conrad J. Aiken  
and Candice M. McHugh

Enclosures

ORIGINAL

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DEPARTMENT OF  
WATER RESOURCES

Candice M. McHugh, ISB #5908  
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*Attorneys for Lindsey Lateral*

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re SRBA

Case No. 39576

Subcase Nos. 63-198AJ, 63-199B, 63-200B, 63-2392B, 63-2968 and 63-30181

REQUEST TO THE IDAHO DEPARTMENT  
OF WATER RESOURCES TO MAINTAIN  
RESOLUTION IN WATER RIGHT FILES  
AND DATABASE

As part of an agreement to resolve objections in the Snake River Basin Adjudication, Lindsey Lateral Association ("LLA") and Nampa & Meridian Irrigation District hereby request that the Idaho Department of Water Resources ("IDWR") maintain a copy of the attached Resolution of the Nampa & Meridian Irrigation District signed on July 21, 2009 in each of the above-listed water right files. It is further requested of IDWR to make the proper reference and/or notation in the computer database for each of these water right numbers to this Resolution.

DATED this 23<sup>rd</sup> day of July, 2009.

RACINE, OLSON, NYE, BUDGE &  
BAILEY, CHARTERED

By: Candice M. McHugh  
Candice M. McHugh  
Attorney for Lindsey Lateral Association

RINGERT LAW CHARTERED

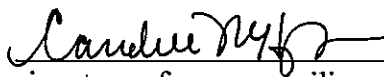
By: Bryce S. Farris  
Bryce S. Farris  
Attorney for Nampa & Meridian Irr. Dist.

REQUEST TO THE IDAHO DEPARTMENT OF WATER RESOURCES TO MAINTAIN  
RESOLUTION IN WATER RIGHT FILES AND DATABASE - Page 1

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 23<sup>rd</sup> day of July, 2009, the above and foregoing document was served in the following manner.

|                                                                                                       |                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| S. Bryce Farris<br>Ringert Clark, Chtd.<br>455 S. Third Street<br>PO Box 2773<br>Boise, ID 83701-2773 | <input checked="" type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile 208-878-2548<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery |
| Lynn Tominaga, President<br>Lindsey Lateral Association<br>PO Box 2624<br>Boise, ID 83701-2624        | <input checked="" type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile 208-878-2548<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery |

  
signature of person mailing document(s)

## **RESOLUTION OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT**

WHEREAS, the Nampa & Meridian Irrigation District ("NMID") has certain water right claims which are currently pending in the Snake River Basin Adjudication; and

WHEREAS, the Lindsey Lateral Association ("LLA") has filed objections and/or competing claims to NMID's water rights which are currently pending in the Snake River Basin Adjudication; and

WHEREAS, NMID and members of the LLA desire to settle the issues involving LLA's claims to a water right and its objections to certain water rights held by NMID all of which are pending in the Snake River Basin Adjudication; and

WHEREAS, as part of said settlement of the issues with LLA, NMID recognizes and agrees that the members of the LLA receive water from the water rights of NMID, currently through the Lindsey Lateral, pursuant to contractual rights and are not landowners of the District; and

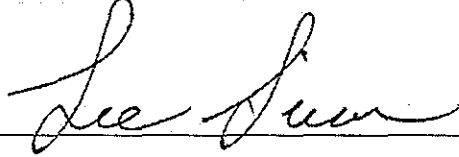
WHEREAS, as part of the said settlement of the issues with LLA, NMID further recognizes and agrees to continue to deliver water to the members of the LLA, depending on availability, from the water rights of NMID, through the Lindsey Lateral, pursuant to contracts so long as those contracts are in full force and effect.

NOW, THEREFORE, upon motion made by Mr. Lee Sisco and seconded by Mr. Monte Janicek, the Board of Directors of Nampa & Meridian Irrigation District adopts and approves this Resolution confirming the rights of the members of the LLA to continue to be delivered water, depending on availability, from the water rights of NMID, which are currently delivered

through the Lindsey Lateral, pursuant to contracts so long as those contracts remain in full force and effect.

Dated the 21 day of July, 2009.

NAMPA & MERIDIAN IRRIGATION DISTRICT

A handwritten signature in cursive script, appearing to read "Lee Sisco", written over a horizontal line.

Lee Sisco, Vice-President

ATTEST:

A handwritten signature in cursive script, appearing to read "Daren R. Coon", written over a horizontal line.

Daren R. Coon, Secretary/Treasurer