

Candice M. McHugh, ISB #5908
RACINE OLSON NYE
BUDGE & BAILEY, CHARTERED
101 S. Capitol Blvd., Suite 208
Boise, Idaho 83702
Telephone: (208) 395-0011
Facsimile: (208) 433-0167
cmm@racinelaw.net

Attorneys for Lindsey Lateral

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JUL 28 2009

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

Case No. 39576

Subcases: 63-198AJ, 63-199B, 63-200B,
63-2392B, 63-2968 and 63-30181

**NOTICE OF WITHDRAWAL OF
RESPONSES TO NAMPA MERIDIAN
IRRIGATION DISTRICT WATER RIGHT
RECOMMENDATIONS**

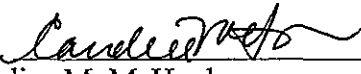
Lindsey Lateral Association, ("LLA") by and through the undersigned counsel, hereby gives notice of withdrawal of its responses to the above-referenced Nampa & Meridian Irrigation District ("NMID") water right recommendations in the SRBA.

This withdrawal is pursuant to an agreement with Nampa & Meridian Irrigation District which has adopted the attached Resolution dated July 21, 2009. As part of the agreement between LLA and NMID, said Resolution is to be recorded by the Idaho Department of Water Resources as part of the water right record and file on the above listed water rights.

A copy of the joint Request to the Idaho Department of Water Resources to Maintain Resolution in Water Right Files and Database is also attached hereto for the Court's reference.

DATED this 23rd day of July, 2009.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: 
Candice M. McHugh
Attorney for Lindsey Lateral Association

CERTIFICATE OF SERVICE

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

Clerk of the SRBA Court 253 Third Avenue North PO Box 2707 Twin Falls, ID 83303-2707	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Document Repository Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-287-6700 ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-878-2548 ☐ Overnight Mail ☐ Hand Delivery
S. Bryce Farris Ringert Clark, Chtd. 455 S. Third Street PO Box 2773 Boise, ID 83701-2773	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-878-2548 ☐ Overnight Mail ☐ Hand Delivery
Lynn Tominaga, President Lindsey Lateral Association PO Box 2624 Boise, ID 83701-2624	☒ U.S. Mail/Postage Prepaid ☐ Facsimile 208-878-2548 ☐ Overnight Mail ☐ 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

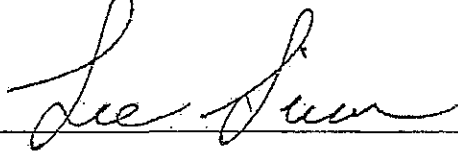
WHEREAS, as part of the said settlement of the issues with LLA, NMID further recognizes and agrees to continue to deliver water to the members of the LLA, depending on availability, from the water rights of NMID, through the Lindsey Lateral, pursuant to contracts so long as those contracts are in full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