

MAY 06 2010

DEPARTMENT OF
WATER RESOURCES

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 Attorneys for Claimant/Objector The Terteling Company, Inc.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

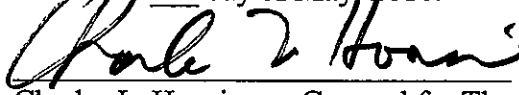
In Re SRBA	)	
	)	Subcase No. 63-5195
Case 38576	)	
	)	STIPULATION TO GRANTING OF MOTION TO
	)	FILE LATE OBJECTION
	)	
	)	
	)	

COMES NOW, The Terteling Company, Inc. (hereinafter "TTCI"), the prospective objector in the above-referenced subcase, by and through their counsel Ringert Law, Chartered, and David Niznik and Diane Peck-Niznik (hereinafter "Niznik"), the claimants in the above-referenced subcase, and hereby stipulate to the following:

1. That TTCI shall file a Motion to File Late Objection that shall object solely to the priority date currently recommended for water right no. 63-5195, and that TTCI shall request only that the priority date for water right no. 63-5195 be changed from June 1, 1921 to July 2, 1921.
2. That so long as TTCI files the Motion to File Late Objection described in paragraph 1 hereinabove, Niznik shall not contest the granting of such Motion by the SRBA District Court.

The Terteling Company, Inc.

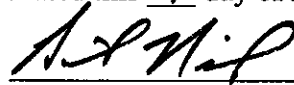
Dated this 5th day of May, 2010.

A handwritten signature in cursive script, appearing to read "Charles L. Honsinger", written over a horizontal line.

Charles L. Honsinger, Counsel for The Terteling Co., Inc.

Niznik

Dated this 4 day of May, 2010.

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

David Niznik

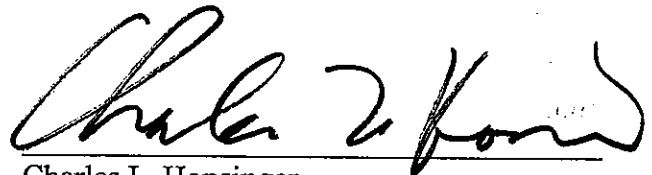
CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May, 2010, a true and correct copy of the foregoing document was served by U.S. mail to the following:

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Deputy Attorney General
Idaho Department of Water Resources
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Charles L. Honsinger