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DEPARTMENT OF
WATER RESOURCES

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**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 No. 27-11375
)
) **STIPULATION RESOLVING**
) **OBJECTION**
)
)
)

The Shoshone-Bannock Tribes, the United States, the State of Idaho and FMC
Production LLC hereby stipulate and agree as follows:

1. The protections of paragraph 27-11375.x.d of the Partial Final Consent Decree Determining Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin, also known as the Fort Hall Consent Decree, apply to *de minimis* stockwater right nos. 27-2162, 27-2050, and 27-2053, held by FMC Production LLC.

2. This stipulation in no way affects the other *de minimis* domestic or stockwater rights diverting natural flow from the Blackfoot River. Those water rights have yet to be addressed in this proceeding and this stipulation shall not be construed to waive, or preclude those rights from claiming, the protections of paragraph 27-11375.x.d of the Fort Hall Consent Decree.

3. The parties will jointly present this stipulation to the Court.

The parties have executed this stipulation on the dates following their respective signatures.

THE STATE OF IDAHO:


SHASTA KILMINSTER-HADLEY
Attorney General
State of Idaho

Date: 7/29/2011

THE SHOSHONE-BANNOCK TRIBES:

 Shasta Kilminster-Hadley
For JEANETTE WOLFLEY
Special Counsel
Shoshone-Bannock Tribes

Date: 7/29/2011

THE UNITED STATES:

 Shasta Kilminster-Hadley
For PETER MONSON
Assistant Chief, Indian Resources Section
United States Department of Justice

Date: 7/29/2011

FMC PRODUCTION LLC:

 Shasta Kilminster-Hadley
For WILLIAM G. MYERS III
Attorney
FMC Production LLC

Date: 7/29/2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of June 2011, I caused a true and correct copy of the foregoing STIPULATION RESOLVING OBJECTION to be filed with the Court and served on the following parties by the indicated methods:

Original via Facsimile

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
253 Third Avenue North
Twin Falls, Idaho 83303-2707

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