

**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	)	Water Right Nos. 37-21943
	)	and 37-22586
Case No. 39576	)	(Basin-Wide Issue 13)
	)	
	)	STIPULATION TO RESOLVE
	)	OBJECTION TO 706 REPORT
	)	AND RECOMMENDATION
	)	FOR BASIN WIDE ISSUE

DESCRIPTIVE SUMMARY

SCI Properties, L.L.C., represented by James P. Speck, objected to the 706 Report and Recommendation (the Report) filed by the Idaho Department of Water Resources (IDWR) in Basin-Wide Issue 13 on July 15, 2011. Water rights 37-21943 and 37-22586 appear on Attachment B of the Report, a list of trust-area water rights found to have statutory (qualified) subordination status.

STIPULATION

SCI Properties and IDWR, as well as the State of Idaho and the Idaho Power Company, objectors in the Basin-Wide Issue 13 subcase, agree and stipulate that water rights 37-21943 and 37-22586 will be removed from Attachment B of the Report.

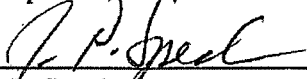
The parties and IDWR agree and stipulate that water rights 37-21943 and 37-22586 have met the substantial investment criteria as defined in the 1180 Contract of the Swan Falls Agreement.

The parties and IDWR agree and stipulate that any partial or final decree issued in the Basin-Wide 13 subcase will reflect that water rights 37-21943 and 37-21943 are afforded unqualified subordination granted through the Swan Falls Agreement.

The parties and IDWR acknowledge that this Stipulation resolves only the objections relating to water rights 37-21943 and 37-22586. The remaining objections to the Report are still outstanding.

WATER RIGHT HOLDER / OBJECTOR:

SCI Properties, L.L.C.


James P. Speck Date 8-10-11
Attorney for SCI Properties, L.L.C

OBJECTORS:

Idaho Power Company

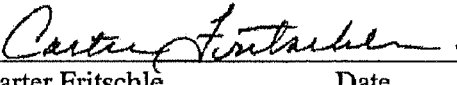

James C. Tucker Date 8/11/11
Attorney for Idaho Power Company

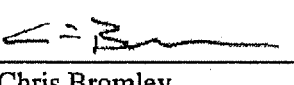

Shelley M. Davis Date 8/11/11
Attorney for Idaho Power Company

The State of Idaho


Shasta Kilminster-Hadley Date
Attorney for the State of Idaho

IDWR CONCURRENCE:


Carter Fritschle Date 8-9-11
Manager, Adjudication Section


Chris Bromley Date 8/9/11
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16 day of August, 2011, I caused to be served a true and correct copy of the Stipulation to Resolve Objection to 706 Report and Recommendation for Basin-Wide Issue 13, by the following method to:

1. Original to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

State of Idaho
Office of the Attorney General
Attn: Clive Strong / Shasta Kilminster-Hadley
P.O. Box 83720
Boise, ID 83720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James C. Tucker
Idaho Power
P.O. Box 70
Boise, ID 83707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Shelley M. Davis
Barker Rosholt
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Boise, ID 83701-2139

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James P. Speck
Speck and Aanestad
P.O. Box 987
Ketchum, ID 83340

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Signature of person or attorney mailing the form