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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	)	Subcase Nos. 63-29713, 63-29715, and
	)	63-29716
	)	
	)	JOINT MOTION TO STAY
Case No. 39576	)	PROCEEDINGS
	)	
	)	
	)	
	)	

Claimant United States of America (including its agencies independently and collectively) and Objectors/Respondents the State of Idaho, the Terteling Company, the Boise Warm Springs Water District, and the City of Boise (collectively, the "Parties"), by and through their undersigned counsel, hereby move the Court for an order staying the proceedings in subcase nos. 63-29173, 63-29715, and 63-29716 for no less than six (6) months upon the following grounds:

1. The United States filed SRBA claim nos. 63-29710, 63-29713, 63-29715, and

63-29716, asserting federal reserved water rights for geothermal heating purposes at the rectangular parcel known as the Fort Boise Reservation.

2. The State of Idaho, Terteling Company, Boise Warm Springs Water District, and City of Boise objected to and/or responded to claim nos. 63-29710, 63-29713, 63-29715, and 63-29716.

3. The Parties (including the United States and its agencies independently and collectively) have entered into an agreement intended to resolve all claims and rights by, and on behalf of, the United States (and its agencies independently and collectively) to its rights and/or use of the low temperature geothermal resource under state and federal law within the boundaries of SRBA Basin 63, including but not limited to claim nos. 63-29710, 63-29713, 63-29715, and 63-29716.

4. Pursuant to the agreement and the stipulation entered pursuant thereby, complete resolution of the matters in the above-entitled subcases is, however, contingent upon the outcome of certain proceedings involving claim no. 63-29710 and late claim no. 63-09890.

5. Judicial economy would be best served by staying the above-entitled subcases, pending the outcome of the proceedings involving claim no. 63-29710 and late claim no. 63-09890.

6. The Idaho Department of Water Resources has indicated that a time period of no less than six (6) months is appropriate for it to begin, if not complete, the administrative proceedings involving claim no. 63-29710.

PRAYER FOR RELIEF

1. That the Court enter an order staying the proceedings in subcase nos. 63-29173, 63-29715, and 63-29716 for no less than six (6) months; and

2. That the Court grant such other and further relief as it deems proper and just.

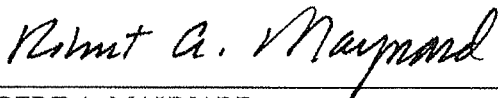
RESPECTIVELY SUBMITTED:



DAVID I. STANISH
Deputy Attorney General
On behalf of the State of Idaho

10/3/08

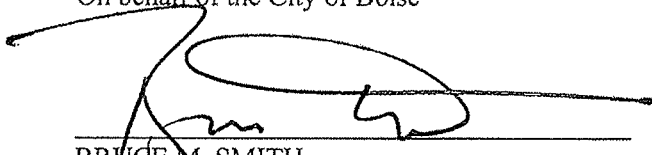
Date



ROBERT A. MAYNARD
Perkins Coie, LLP
On behalf of the City of Boise

10/3/08

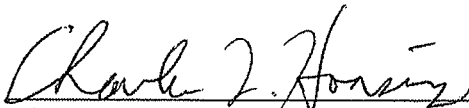
Date



BRUCE M. SMITH
Moore, Smith, Buxton & Turcke, Chtd.
On behalf of Boise Warm Springs Water District

10/14/08

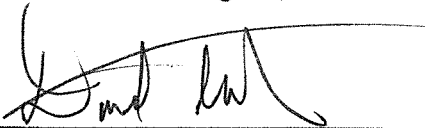
Date



CHARLES L. HONSINGER
Ringert Clark, Chtd.
On behalf of the Terteling Co., Inc.

10/09/08

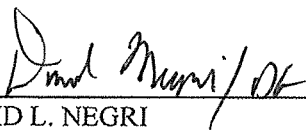
Date



DAVID GEHLERT
United States Department of Justice
On behalf of the United States Department of Veterans Affairs (63-29713)

9/27/11

Date

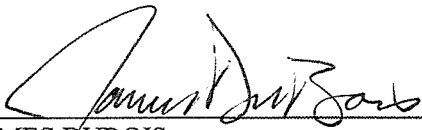


DAVID L. NEGRI
United States Department of Justice
On behalf of the United States Geological Survey (63-29716) & the United States General Services Administration (63-29715)

9/28/11

Date

EXHIBIT A



JAMES DUBOIS

United States Department of Justice

On behalf of the United States Army Reserve (63-29710)

9/28/11

Date

CERTIFICATE OF SERVICE

I certify that on the 2nd day of Sept. 2008, I caused to be served the original and/or copy of this JOINT MOTION TO STAY PROCEEDINGS on each of the following persons by the following methods:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
PO BOX 2707
TWIN FALLS, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☒ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to:

BOISE WARM SPRINGS WATER DIST
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950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

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☐ Statehouse Mail

THE TERTELING CO INC
Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

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EDWARDS FAMILY LLC
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608 WEST FRANKLIN STREET
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EXHIBIT A

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

- ☐ U.S. Mail, postage prepaid
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STATE OF IDAHO
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NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
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BOISE, ID 83711-4449

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IDWR DOCUMENT DEPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

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