

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

In Re the General Adjudication	)	
of Rights to the Use of Water	)	
from the Snake River Basin	)	Case No. 39576
Water System	)	
The State of Idaho, <u>ex rel.</u>	)	Subcase No. 34-00834-0002
R. Keith Higginson in his	)	
official capacity as director	)	
of the Idaho Department of	)	
Water Resources,	)	STIPULATION OF WITHDRAWAL
	)	
Petitioner,	)	
v.	)	
	)	
The United States;	)	
the State of Idaho;	)	
and all claimants to the use	)	
of water from the Snake River	)	
Basin Water System,	)	
	)	
Respondents.	)	

DESCRIPTIVE SUMMARY

This pleading is a stipulation to withdraw the objection filed against water right number 34-00834.

STIPULATION

Pursuant to I.R.C.P. 41(a)(1) and the order of this Court, the United States of America, by its undersigned counsel; the State of Idaho Department of Water Resources, by its undersigned counsel; and Carolyn Smith and Wiley F. Smith, stipulate that the objection filed by the United States to the recommendation made by the Director of the Idaho Department of Water Resources to water right number 34-00834 is hereby

withdrawn. All parties agree to bear their own costs and attorneys' fees.

This stipulation was entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.

Dated: Jan 4, 1994

CLAIMANT

Carolyn Smith
Carolyn Smith
Star Route
Mackay, ID 83251

Dated: Jan 5, 1994

CLAIMANT

Wiley F. Smith
Wiley F. Smith
Star Route
Mackay, ID 83251

Dated: Jan 5, 1994

UNITED STATES OF AMERICA

by: DARIA J. ZANE
Attorney
Environment and Natural Resources
Division
U.S. Department of Justice

Dated: Jan 5, 1994

IDAHO DEPARTMENT OF WATER RESOURCES

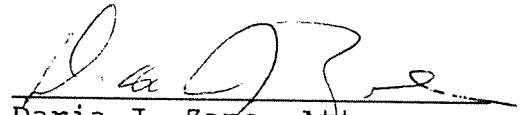
by: A. Lynne Krogh
A. LYNNE KROGH ~~HAMPE~~
Deputy Attorney General
State of Idaho
Department of Water Resources

CERTIFICATE OF SERVICE

I certify that on the 11th day of January, 1994, I served a true and correct copy of the Stipulation of Withdrawal upon the following individuals by United States first-class mail, postage prepaid:

Wiley & Carolyn Smith
Star Route
Mackay, Idaho 83251

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449



Daria J. Zane, Attorney
Department of Justice
General Litigation Section
Environment & Natural
Resources Division
P.O. Box 663
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(202) 272-8351

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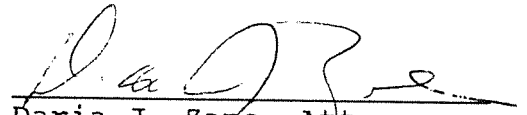
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