

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
Water System

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

Subcase No. 34-00836-0001

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.

STIPULATION OF WITHDRAWAL

DESCRIPTIVE SUMMARY

This pleading is a stipulation to withdraw the
objection filed against water right number 34-00836.

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 34-00836 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withdrawn.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

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

Dated: Jan 5, 1994

IDAHO DEPARTMENT OF WATER RESOURCES

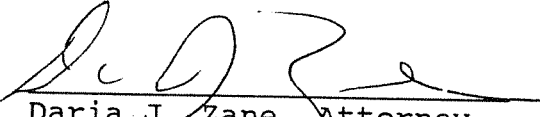
A. Lynne Krogh
by: A. LYNNE KROGH ~~NAME~~
Deputy Attorney General
State of Idaho
Department of Water Resources

CERTIFICATE OF SERVICE

I certify that on the 12th 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
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