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JAN 31 1994

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

Department of Water Resources
Adjudication Bureau

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 39576

Subcase No. 34-00058-0001

The State of Idaho, ex rel.
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 34-00058-0001.

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 Idaho Department of Water Resources, by its undersigned
counsel; and Gordon Fulton, [by his/her undersigned counsel],
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 34-00058-0001 is hereby

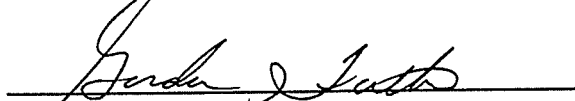
withdrawn. All parties agree to bear their own costs and attorneys' fees.

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:

1/21/94

CLAIMANT



GORDON FULTON
Star Route
Mackay, ID 83251

UNITED STATES OF AMERICA

Dated:

1/21/94

by:



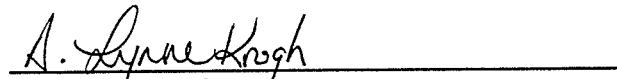
DARIA J. ZANE
R. LEE LEININGER
Attorneys
Env. and Natural Resources Division
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044-0663
(202) 272-4134

IDAHO DEPARTMENT OF WATER RESOURCES

Dated:

Jan 21, 1994

by:



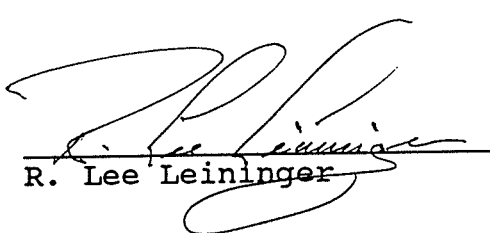
Lynne Krogh
Deputy Attorney General
State of Idaho
Department of Water Resources

CERTIFICATE OF MAILING

I hereby certify that the foregoing stipulation of withdrawal has been served via first class mail, pre-paid postage, this 26 day of January, 1994, upon the following individuals:

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

Gordon Fulton
Star Route
Mackay, Idaho 83251
phone: (208) 588-2267



R. Lee Leininger