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Department of Water Resources
Adjudication Bureau

8-31

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 No. 34-02568A
	)	
Case No. 39576	)	STIPULATION
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to water right number 34-02568A.

STIPULATION

To resolve the dispute over the above-captioned water right, the United States of America (the claimant), and Carolyn Smith (the objector), stipulate and agree that:

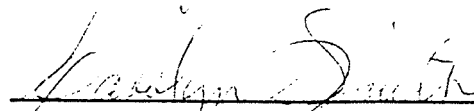
1. The objection to the 34-02568A is dismissed with prejudice.
2. I.D.W.R. and the parties agree that claim number 34-02568A does not exist and that the objection was erroneously filed. Objector intended to file an objection to 34-02568.
3. This stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation, and all parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest or be used in any legal

proceeding, and that this agreement is not and shall not be used as precedent for any other claim to a water right.

4. All parties agree to bear their own costs and attorney's fees in connection with this matter.

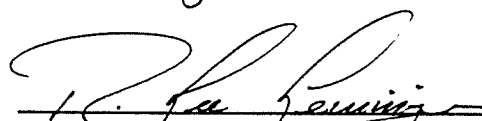
5. This stipulation was entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.

Dated this 22 day of August, 1995.



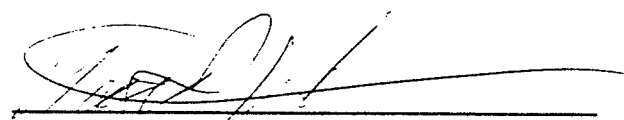
Carolyn Smith
Objector

Dated this 22 day of August, 1995.



DARIA J. ZANE/R. LEE LEININGER
Attorneys
General Litigation Section
Env. & Natural Resources Div.
U.S. Department of Justice

Dated this 22 day of August, 1995.



Matt J. Howard
Attorney
Idaho Department of Water Resources

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on Aug 30, 19995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

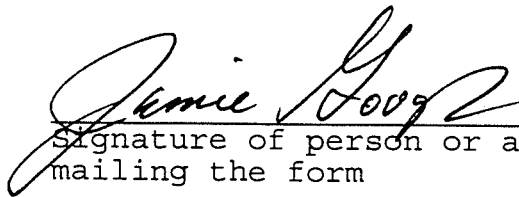
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Carolyn Smith
Star Route
Mackay, ID 83251



Signature of person or attorney
mailing the form