

Movant's Name:

UNITED STATES OF AMERICA

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COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

3-20

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	)	Basin 34
	)	
Case No. 39576	)	STIPULATION TO WITHDRAW OBJECTIONS IN
	)	SUBCASES 34-00780C, 34-00960, 34-07073
	)	
	)	
	)	

Descriptive Summary

This is a stipulated motion, prepared by the United States and signed by all parties to the above-entitled subcases, requesting the withdrawal of the United States' objections under several conditions.

I. BACKGROUND AND DISCUSSION

The United States has determined that the potential impact of these subcases on the interests and water rights of the

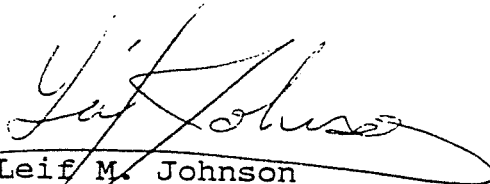
United States does not warrant litigation at this time. Although the United States has agreed to withdraw the objections in these subcases, the same or similar issues may arise with regard to other municipal claims in the SRBA. Therefore, with this motion, the United States preserves its right to object to future municipal claims of any kind.

Based on the foregoing, all parties to the above-captioned matters stipulate and agree to the withdrawal of the United States' objections in pending subcases 34-00780C, 34-00960 and 36-07073 under the following conditions:

1. That all objections in the pending subcases are withdrawn by the United States and dismissed with prejudice;
2. That the United States reserves the right to raise the same or similar issues as they may arise in the reporting of any other municipal claims in the SRBA;
3. That this motion and stipulation affect no other pending subcases or objections in the SRBA;
4. That the parties agree to pay their own fees and costs in the above-entitled subcases.

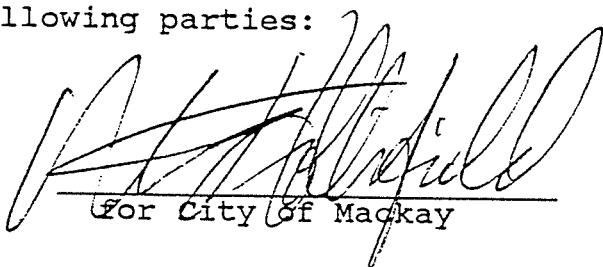
Dated this 15th day of April, 1994.

Respectfully submitted,



Leif M. Johnson
Attorney, Department
of Justice
Environment and Natural
Resources Division
Indian Resources Section

Conditions agreed upon and stipulated to by the
following parties:


for City of Mackay

Josephine P. Beeman
for City of Pocatello
February 17, 1995

A. Lynne Krog
for Idaho Department of
Water Resources