

6-16 ✓

**Movant's Name:**

**UNITED STATES OF AMERICA**

**Attorneys' Names and Addresses:**

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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.34-04180    |
|                | ) |                        |
| Case No. 39576 | ) | Stipulation to Resolve |
|                | ) | Objection              |
| _____          | ) |                        |

**DESCRIPTIVE SUMMARY**

This is a stipulation to resolve the United States' objection to all elements of water right number 34-04180 except priority date.

**STIPULATION**

To resolve the dispute over the above-captioned water right, the claimant and the objector, the United States of America, and the Idaho Department of Water Resources (IDWR), stipulate and agree as follows:

**Stipulation to Resolve Objection**

1. The water right is accurately described in Exhibit 1, a revised page of the Director's report showing specific changes made to the Director's original recommendation in an underline/overstrike format.

2. The water right as described on Exhibit 1 does not include an agreement as to the priority date. The parties have not to date reached an agreement as to priority date, so this element is left blank on Exhibit 1.

3. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

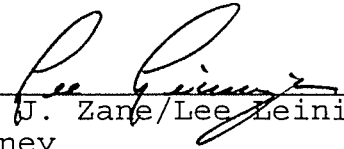
4. All parties agree to bear their own costs and attorneys' fees in connection with the matters resolved by this stipulation.

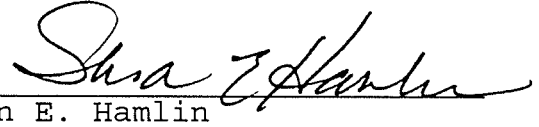
5. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence, whatsoever.

Respectfully submitted,

UNITED STATES OF AMERICA,  
on behalf of the BLM,  
Claimant & Objector

IDAHO DEPARTMENT OF WATER  
RESOURCES

By:   
Daria J. Zane/Lee Leininger  
Attorney  
General Litigation Section  
Environment & Natural  
Resources Division  
U.S. Department of Justice

By:   
Susan E. Hamlin  
Deputy Attorney General  
Idaho Department of Water Resources  
1301 N. Orchard Street  
Boise, Idaho 83702  
(208) 327-7920

Dated: 6/13/95

Dated: 6/14/95

Stipulation to Resolve Objection

RIGHT  
NUMBER

NAME &amp; ADDRESS

PRIORITY  
DATE

PURPOSE OF USE

PERIOD OF USE  
FROM TOMAXIMUM  
QUANTITY

BASIS OF CLAIM

SOURCE: ALDER CREEK

TRIBUTARY: BIG LOST RIVER

34-04180

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706

at issue

STOCKWATER

01-01 12-31

0.16 CFS BENEFICIAL USE

TOTAL QUANTITY: 0.16 CFS

NON-IRRIGATION USES:

STOCKWATER, 666 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T06N R24E S22

SESMSW (B)  
SESMSW (E)

PLACE OF USE: STOCKWATER

T06N R24E S22

SWSW

REMARKS:

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING  
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY  
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.  
BLM RECORD ID = 3403488145