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Department of Water Resources
Adjudication Bureau

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. 34-02474B
Case No. 39576) **STIPULATION**
_____)

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to water right number 34-02474B.

STIPULATION

To resolve the dispute over the above-captioned water right, Wayne G. and Betty L. Schwartz (the claimants), and the United States of America (the objector), stipulate and agree that:

1. Exhibit 1 to the Standard Form 5 for water right no. 34-02474B, attached hereto and incorporated by reference herein, sets forth the description of the water right as agreed by the parties. All decrees, whether partial or final, should describe the water right as shown on Exhibit 1 to the Standard Form 5.

2. The Standard Form 5 and this stipulation have 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.

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

4. The Standard Form 5 and this stipulation were 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 10 day of October, 1995.

Wayne G. Schwartz

Wayne G. Schwartz
Claimant

Betty L. Schwartz

Betty L. Schwartz
Claimant

Dated this 27 day of September, 1995.

William M. Ferry

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U.S. Department of Justice