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Movant's Name:
UNITED STATES OF AMERICA

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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. 36-02018
Case No. 39576	)	
	)	
_____	)	

STIPULATION TO DISMISS OBJECTION AND
DISMISS THE UNITED STATES AS A PARTY

The parties, the Idaho Power Co. and the United States, submit this stipulation resolving the objection filed by the United States in this subcase. As support for this stipulation, the parties state that:

1. Idaho Power Company filed this claim on or about August 19, 1988. The purpose of use of the right is power generation. The source of the claim is Clear Lake.

2. Subsequently, the claim was recommended. In issuing the Director's Report, IDWR included certain general provisions that allegedly apply to all rights, including this right, in the

Reporting Area, which consists of Basin 36.

3. On or about April 29, 1993, the United States, on behalf of the Bureau of Reclamation, filed an objection to this claim. The objection was to General Provision No. 3. That general provision related to conjunctive management. The Bureau felt that General Provision No. 3 did not adequately clarify how IDWR would conjunctively manage the system.

4. On or about April 29, 1993, the Idaho Power Company filed an objection to this claim seeking to have the General Provisions deleted.

5. Subsequently, IDWR issued rules governing Conjunctive Management, thereby clarifying the procedures to be applied in conjunctively managing the system.

6. As a result, the United States' objection does not appear to continue to be necessary.

7. The State of Idaho filed a motion to file a response on or about August 18, 1995. That motion is currently pending. At present, the State of Idaho is not a party to this subcase.

8. The United States counsel has discussed this matter with the State of Idaho and it has no objection to the withdrawal of the United States' objection and the dismissal of the United States as a party to this subcase.

WHEREFORE, for the foregoing reasons, the parties stipulate to and request that the Court dismiss the objection filed by the United States and dismiss the United States as a party to this subcase.

Respectfully submitted,


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Date: 11/20/95


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Attorney for United States
on behalf of the Bureau of
Reclamation

Date: 11/14/95

CERTIFICATE OF SERVICE

I certify that on the 20th day of November, 1995, I served a true and correct copy of the Stipulation to Dismiss Objection and Dismiss the United States as a Party, by fax or first class, postage prepaid, on the the following individuals:

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
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