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Department of Water Resources
Adjudication Bureau

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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. 36-10221
	)	
Case No. 39576	)	STIPULATION TO RESOLVE
	)	OBJECTION AND DISMISS
_____	)	THE UNITED STATES AS A
	)	PARTY TO THIS SUBCASE

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to water right number 36-10221 filed by the United States on behalf of the Bureau of Land Management and to dismiss the United States as a party to this subcase.

STIPULATION

To resolve the dispute over the above-captioned water right, J. Glen and Shirley D. Anderson, the claimants, and the United States, on behalf of the Bureau of Land Management, the objector, stipulate and agree that:

1. The water right as originally recommended contains a typographical error in the element, Place of Use. The place of use identified for domestic purposes as T.07S, R.15E, Section 24, SWSW should be changed to T.07S, R.15E, Section 27, SWSW. The place of use identified for stockwatering purposes as T.07S, R.15E, Section 24, SWSW should be changed to T.07S, R.15E, Section 27, SWSW.

2. IDWR has reviewed this objection. In the response it originally filed, it recommended this change in a supplemental recommendation attached to that original response.

A copy of that supplemental recommendation is attached hereto. All decrees, whether partial or final, should describe the place of use for this water right as described in paragraph 1.

3. Acceptance of this stipulation and change resolves the objection filed by the United States. Upon acceptance of this stipulation and approval of the change, the parties agree to and ask that the United States be dismissed as a party to this subcase, pursuant to Rule 41, Idaho Rules of Civil Procedure.

4. 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.

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

6. 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 26 day of December, 1995.

J. Glen Anderson
Shirley Anderson
J. Glen and Shirley Anderson
Claimant
2920 South 2000 East
Wendell, ID 83355

Dated this 20 day of Nov, 1995.

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

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 Jan 2, 1996, 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:

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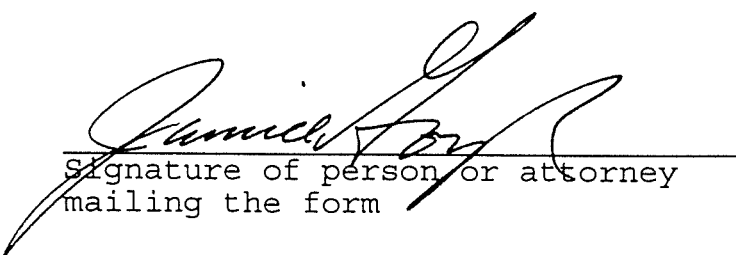
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Snake River Basin Adjudication
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Twin Falls, ID 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

J. Glen and Shirley Anderson
2920 South 2000 East
Wendell, ID 83355



Signature of person or attorney
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