



Slavin Law Office, Chartered
Milton A. (Jock) Slavin & Milton Chace Slavin
Attorneys at Law
116 North Center Street, Salmon, Idaho 83467
Telephone: 208-756-2030 ~~~ Facsimile: 208-756-2031

FAX TRANSMISSION COVER SHEET

DATE: May 19, 2010
TO: S.R.B.A. COURT
FAX NO: 208-287-6700
FROM: MILTON SLAVIN
RE: TRACY - MALINDA & Vincent / STOKES et al
NOTE: SUBCASES 74-179C et seq.
STIPULATION TO JACATE TRIAL

Number of pages to follow: 3

CONFIDENTIALITY NOTICE

The information contained in this facsimile message is privileged and confidential and is intended for the use of the addressee given above. If you are neither the intended recipient nor an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone at the above number to arrange for the return to us of the original document.

Slavin Law Office, Chtd.

Milton A. (Jock) Slavin, Esq., ISBN 1517

M. Chace Slavin, Esq., ISBN 6805

116 North Center Street

Salmon, Idaho 83467

Telephone: (208) 756-2030

Attorneys for Vincent and Malinda Tracy

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

	)	Subcases:
	)	74-179C (Stokes)
	)	74-179D (Eagle Valley Ranch)
In Re SRBA	)	74-180B:
	)	74-15890 (Stokes)
	)	74-15891 (Eagle Valley Ranch)
	)	74-4006 (Stokes)
Case No. 39576	)	74-15520 (Stokes)
	)	74-15521 (Eagle Valley Ranch)
	)	
	)	MEMORANDUM AGREEMENT
	)	STIPULATING TO VACATE TRIAL
	)	SETTING

COMES NOW, the above parties and agree as follows:

1. That the Trial set for May 21, 2010 in the above referenced matter is to be vacated;
and
2. That Vincent and Malinda Tracy will proceed to file a claim for waste water, which comes from the Eagle Valley Ranch and will flume the waste water across the canal used by the District 74-C water users; and

3. That the District 74-C water users agree not to object to the waste water claim to be filed by the Tracys; and
4. That Tracys agree not to disturb the embankment of the canal. The Water District 74-C users consent and agree that the Tracys may install a flume across the canal providing that it will not disrupt the flow of water in the canal and will not disturb or degrade the banks of the District 74-C canal; and
5. Tracys will and do hereby withdraw their objection to the Amended Director's Report.

Dated this 14th day of May, 2010.

Vincent Tracy by Malinda Tracy 5-19 2010
VINCENT TRACY

Malinda Tracy 5-19 2010
MALINDA TRACY

Boyd Stokes 5/19/2010 2010
BOYD STOKES, President, Water District 74-C

E. Dale Jolley 5/19 2010
E. DALE JOLLEY

Earl Dean Stokes 5-19-2010 2010
EARL DEAN STOKES

Eagle Valley Ranch by Mike Kossler 5-19-2010 2010
EAGLE VALLEY RANCH, by MIKE KOSSLER

**CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION**

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the person(s) named below, at the address set out below his/her name, by mailing a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid.

WATER DISTRICT 74-C
C/O BOYD STOKES
646 LEMHI ROAD
SALMON, ID 83467
Phone: 208-756-3923

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

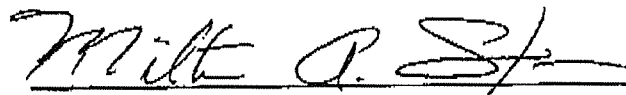
EARL DEAN STOKES
BETTY W. STOKES
19 N BARRACKS LANE
SALMON, ID 83467

EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK ROAD
SALMON, ID 83467

EAGLE VALLEY RANCH LLC
6 STEWART RD
SHORT HILLS, NJ 07078

VINCENT & MALINDA TRACY
3 PRAIRIE ROAD
SALMON, ID 83467

DATED this 14 May 2010.


MILTON A. SLAVIN

CIVMISC\TRACY.V&M.MOA.VACATE\1909-09