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Department of Water Resources
Adjudication BureauMovants' Names:

UNITED STATES OF AMERICA

GEM IRRIGATION DISTRICT

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. 57-02118

Case No. 39576)

PARTIES' STIPULATION TO AMEND PRIOR
STIPULATION TO DISMISS OBJECTION AND
DISMISS THE UNITED STATES AS A PARTY

The parties, GEM Irrigation District, and the United States, submit this stipulation to correct the prior stipulation filed by the parties resolving the objections filed by the United States. As support for this stipulation, the parties state that:

1. On April 3, 1996, the parties filed a stipulation to resolve the United States' objections to the claims filed by the GEM Irrigation District in the following subcases: 57-02118, 57-02177, 57-04104, 57-10854, 57-10912 and 57-10913 as well as the objection filed by the United States to the claim it filed, 57-10807.

2. Subsequently, it was brought to the parties'

attention, that paragraph 7 of the stipulation was incorrect in that it included 57-10807 in the recitation of claims that should be decreed as recommended. Rather, the parties' agreement was that that water right, should not be decreed.

3. The parties hereby stipulate that paragraph 7 should be corrected to read as follows:

7. The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

4. The parties hereby request that the Court strike the claim number 57-10807 from the first sentence of paragraph 7 of the previous stipulation.

WHEREFORE, for the foregoing reasons, the parties stipulate to and request that the Court amend the previous stipulation as set forth above.

Respectfully submitted,

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Attorney for GEM Irrigation
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Date: 4-9-96

Daria J. Zane
Daria J. Zane, Attorney
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Boise, Idaho 83724
Attorney for United States
on behalf of the Bureau of
Reclamation

Date: 4/10/96

CERTIFICATE OF SERVICE

I certify that on this 17th day of April, 1996, I served a true and correct copy of the Stipulation to Amend Prior Stipulation to Dismiss Objection and Dismiss the United States as a party in the subcases consolidated under No. 57-02118, by fax and/or by first class, postage prepaid mail upon the following individuals:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707
208/736-2121 (by fax)

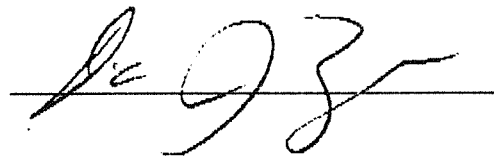
2. Copies to:

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Nyssa, Oregon 97913
541/372-2848 (by fax and mail)

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, Idaho 83720-0098
208/334-2690 (by fax)

3. Courtesy copy to:

A. Lynne Krogh
Deputy Attorney General
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702
208/327-5400 (by fax)





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ENVIRONMENT AND NATURAL RESOURCES DIVISION
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DATE: 4/10/96TO: 5213A CtBrad F. Hades
State of Idaho
10WPR~~Robert~~ K. Carr
P. Graf
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208/786-2121541/372-2748208/334-2650207/327-5400208/334-1377208/377-5305208/377-0822FROM: D. ZANENO. OF PAGES: 5MESSAGE: _____

