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Department of Water Resources

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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. 34-02207
	)	
Case No. 39576	)	
	)	STIPULATION
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to the above-captioned water right.

STIPULATION

To resolve the dispute over the above-captioned water right, the parties stipulate and agree that:

1. The Standard Form 5 for the water right 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 in the Standard Form 5.
2. The parties further agree that where the BLM has claimed or has decreed water rights on stream reaches below the points of diversion as described on the Standard Form 5 for 34-02207, the Claimant and his successors in interest agree to not materially interfere with the BLM's stock watering use of those stream reaches.

3. 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.

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

5. 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.

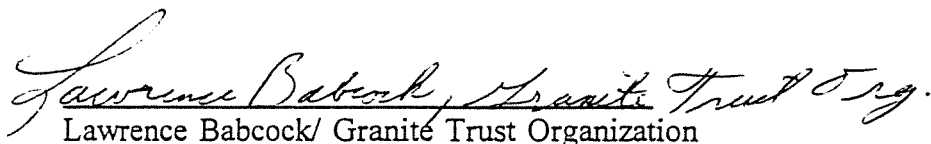
Dated this 31st day of July, 1996



Daria J. Zane,
R. Lee Leininger,
P. Fritz Holleman,
William M. Ferry,
Attorneys

U.S. Department of Justice
Environment and Natural Resources
Division, General Litigation Section

Dated this 3 day of September, 1996



Lawrence Babcock/ Granite Trust Organization

 09/03/96