

DEC 03 2020

WATER RESOURCES
WESTERN REGION

CHARLES L. HONSINGER (ISB # 5240)
 HONSINGER LAW, PLLC
 P. O. Box 517
 Boise, Idaho 83701
 Telephone: (208) 863-6106
 Facsimile: (208) 908-6085
 honsingerlaw@gmail.com

Attorneys for Applicant Obendorf Hop, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
 THE STATE OF IDAHO

_____)	
IN THE MATTER OF APPLICATION FOR)	
WATER RIGHT NO. 63-34905 IN THE)	STIPULATION AND WITHDRAWAL
NAME OF OBENDORF HOP, INC.)	OF PROTEST
_____)	

COMES NOW, the Applicant, Obendorf Hop, Inc., by and through its counsel Honsinger Law, PLLC together with the Protestant Riverside Irrigation District, Ltd. (hereinafter "Riverside"), by and through its counsel Barker, Rosholt & Simpson, LLP, and hereby stipulate to the following to settle Riverside's protest in this matter.

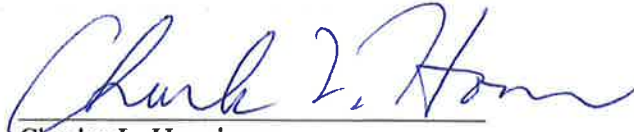
1. The parties agree that a condition shall be imposed upon the water right stating the following: *"The source of this right is wastewater. The wasting of water may be discontinued at any time. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it."*
2. The parties recognize that the Dixie Slough has been used in the past by Riverside as a wasteway for water in the event of canal break or to prevent overtopping the

canal in the event of flows into the canal from other sources, particularly including the West End Drain which is located upstream of the Dixie Slough on the Riverside Canal, and the parties recognize that Riverside maintains a headgate on the Riverside Canal to the Dixie Slough allowing Riverside to release water from the Riverside Canal into Dixie Slough.

3. Based upon Riverside's historic uses, Obendorf Hop, Inc agrees to waive any claims against Riverside associated with Riverside's use of the Dixie Slough as a wasteway. Obendorf Hop, Inc. further releases Riverside from any and all claims, demands, and liability that Obendorf Hop, Inc. may hereafter have, arising from or associated with effects to the operations proposed by Obendorf Hop, Inc. under Water Right no. 63-34905 and any impact to structures installed in or adjacent to the Dixie Slough by Obendorf Hop, Inc. to facilitate its operations under Water Right No. 63-34905. This release shall be binding on Obendorf Hop, Inc. and its successors and assigns.
4. Protestant Riverside agrees that its protest to Application for Permit No. 63-34905 in the name of Obendorf Hop, Inc. is hereby withdrawn.

Dated this 30th day of November, 2020.

HONSINGER LAW, PLLC



Charles L. Honsinger
Attorneys for Applicant Obendorf Hop, Inc.

Dated this 30th day of November, 2020.

BARKER ROSHOLT & SIMPSON LLP



Albert P. Barker
Attorneys for Riverside Irrigation District, Ltd.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 30th day of November 2020, he caused a true and correct copy of the within and foregoing document to be transmitted by U.S. mail to the following:

City of Boise
Attn: Abigail Germaine
P.O. Box 500
105 N. Capitol Blvd.
Boise, ID 83701

Albert P. Barker
Barker Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701-2139



Charles L. Honsinger