

ORIGINAL

John K. Simpson, ISB #4242
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Telephone: (208) 336-0700
Facsimile: (208) 344-6034
jks@idahowaters.com

Attorney for Idaho Power Company

RECEIVED
AUG 13 2020
DEPARTMENT OF
WATER RESOURCES

RECEIVED
AUG 19 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS FOR
TRANSFER NOS. 83505 & 83597

**STIPULATION FOR WITHDRAWAL OF
PROTEST**

In the name of 3 String Cattle of Idaho LLC

COMES NOW, Idaho Power Company (the "Company") and 3 String Cattle of Idaho LLC, ("Applicant"), collectively "Parties" and hereby stipulate and agree to the withdrawal of the Company's protest filed in Transfer no. 83505 upon the following conditions:

1. That the Applicant withdraw application for Transfer no. 83597;
2. That the Parties acknowledge that there remain concerns expressed by the Company regarding the individual and cumulative impacts associated with transfers of water rights in the Eastern Snake Plain Aquifer, and the additional depletive effects of such transfers on reaches of the Snake River below Milner Dam.
3. That the Parties acknowledge if transfer no. 83505 is approved, the exercise of the portion of water right no. 36-07356C at the new point of diversion will increase the depletions observed in the reaches of the Snake River below Milner Dam.
4. That the Company specifically reserves the right to file a future protest to a transfer

which would attempt to move additional water to the same point of diversion or place of use as Transfer no. 83505.

5. That withdrawal of the Company's protest to Transfer no. 83505 and the Applicant's withdrawal of application for Transfer no. 83597 shall not be used as precedent or an admission against interest as to either Party in any future proceedings.

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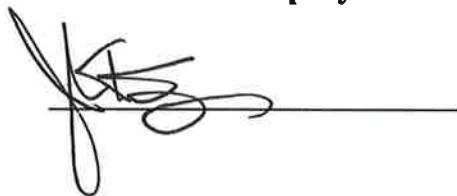
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DATED this 10th day of August, 2020.

3 String Cattle of Idaho LLC

A handwritten signature in blue ink, appearing to be "RSH", is written over a horizontal line.

Idaho Power Company

A handwritten signature in black ink, appearing to be "KTS", is written over a horizontal line.

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2020, I served the original of the foregoing **STIPULATION FOR WITHDRAWAL OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
Boise, Idaho 83702-7374

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☒ Email: Corey.Skinner@idwr.idaho.gov

Via email to Corey Skinner, Southern
Regional Manager

3 String Cattle of Idaho
P.O. Box 675
Heyburn, ID 83336-0675

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Matt Darrington
Anthon Darrington PLLC
P.O. Box 536
Rupert, ID 83350-0536

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☒ Email: matt@minicassialaw.com

Greg Sullivan
Brockway Engineering
2016 N. Washington St., Ste. 4
Twin Falls, ID 83301

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email



John K. Simpson

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Attorney for Idaho Power Company

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DEPT OF WATER RESOURCES
SOUTHERN REGION

E-mail

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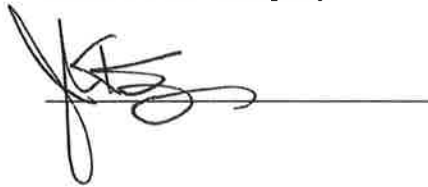
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DATED this 10th day of August, 2020.

3 String Cattle of Idaho LLC

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Idaho Power Company

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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2020, I served the original of the foregoing **STIPULATION FOR WITHDRAWAL OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources	☒ U.S. Mail, Postage Prepaid
Idaho Water Center	☐ Hand Delivery
322 East Front Street	☐ Overnight Mail
Boise, Idaho 83702-7374	☐ Facsimile
	☒ Email: <u>Corey.Skinner@idwr.idaho.gov</u>

Via email to Corey Skinner, Southern
Regional Manager

3 String Cattle of Idaho	☒ U.S. Mail, Postage Prepaid
P.O. Box 675	☐ Hand Delivery
Heyburn, ID 83336-0675	☐ Overnight Mail
	☐ Facsimile
	☐ Email

Matt Darrington	☒ U.S. Mail, Postage Prepaid
Anthon Darrington PLLC	☐ Hand Delivery
P.O. Box 536	☐ Overnight Mail
Rupert, ID 83350-0536	☐ Facsimile
	☒ Email: <u>matt@minicassialaw.com</u>

Greg Sullivan	☒ U.S. Mail, Postage Prepaid
Brockway Engineering	☐ Hand Delivery
2016 N. Washington St., Ste. 4	☐ Overnight Mail
Twin Falls, ID 83301	☐ Facsimile
	☐ Email



John K. Simpson



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DEPT OF WATER RESOURCES
SOUTHERN REGION

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AUG 13 2020

DEPARTMENT OF
WATER RESOURCES

August 11, 2020

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street, Ste. 648
Boise, Idaho 83702-7371

Re: *Application for Transfer Nos. 83505 & 83597, in the name of Three String Cattle
of Idaho LLC*

Dear Clerk:

Enclosed for filing, please find one original and one copy of a *Stipulation for Withdrawal
of Protest* concerning the above referenced matter. Please return the copy with your file stamp
in the enclosed postage prepaid envelope.

Please contact me if you have any questions. Thank you for your assistance.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

Jessica L. Witt, Assistant to
John K. Simpson

/jlw
Enclosures

Skinner, Corey

From: Jessica Witt <jlw@idahowaters.com>
Sent: Tuesday, August 11, 2020 2:48 PM
To: Skinner, Corey
Cc: John Simpson
Subject: 3 String Cattle of Idaho LLC - Transfer Nos. 83505 & 83597
Attachments: 20200810 Stipulation for Withdrawal of Protest.pdf

Dear Corey,

Please find attached fully executed *Stipulation* concerning the above applicant/transfers. The original is being mailed to the State office today.

Sincerely,
Jessica

Jessica L. Witt
Legal Assistant
Barker Rosholt & Simpson LLP
1010 W. Jefferson, Suite 102
P.O. Box 2139
Boise, Idaho 83701-2139
Phone: 208.336.0700
Fax: 208.344.6034
www.idahowaters.com

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