

ORIGINAL

John K. Simpson, ISB #4242  
**BARKER RSHOLT & SIMPSON LLP**  
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P.O. Box 2139  
Boise, Idaho 83701-2139  
Telephone: (208) 336-0700  
Facsimile: (208) 344-6034  
[jks@idahowaters.com](mailto: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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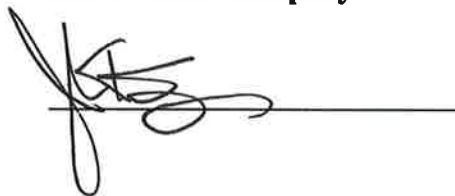
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DATED this 10<sup>th</sup> day of August, 2020.

**3 String Cattle of Idaho LLC**

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

**Idaho Power Company**

A handwritten signature in black ink, appearing to be "KTS", 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  
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John K. Simpson

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

E-mail

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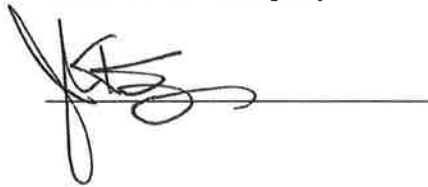
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DATED this 10<sup>th</sup> day of August, 2020.

**3 String Cattle of Idaho LLC**

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**Idaho Power Company**

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

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☐ Facsimile  
☒ Email: [Corey.Skinner@idwr.idaho.gov](mailto: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

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

☒ U.S. Mail, Postage Prepaid  
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☐ Facsimile  
☒ Email: [matt@minicassialaw.com](mailto:matt@minicassialaw.com)

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John K. Simpson





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**Attorneys**

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Scott A. Magnuson

**John K. Simpson**

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PHONE: 208.336.0700  
WEB: idahowaters.com

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

John A. Rosholt  
(1937-2019)

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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

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**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](http://www.idahowaters.com)

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