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AUG 18 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Attorney for Protestant Earl Warthen

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER	)	
NO. 79943	)	STIPULATION
	)	
IN THE NAME OF	)	
ALBION 12 INVESTMENTS, LLC	)	
_____	)	

COMES NOW, Protestant Earl Warthen by and through his attorney Charles L. Honsinger of the firm of Honsinger Law, PLLC, together with Applicant Albion 12 Investments, LLC by and through its attorney William Parsons of the firm of Parsons Smith and Stone, and hereby stipulate to the following in the above entitled matter:

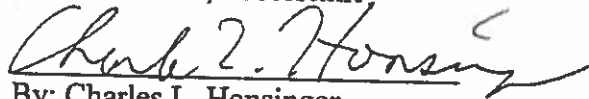
1. The location of the points of diversion for Transfer no. 79943 shall be as specified in the map attached to the Amended Application for Transfer of Water Right No. 79943 dated February 29, 2016 and marked as "Received" by the Idaho Department of Water Resources on March 3, 2016. Specifically, the points of diversion shall be within 100 feet of the South Boundary of T12S R25E Section 21 SENW, and/or within 100 feet of the South Boundary of T12S R25E Section 21SWNW. Applicant agrees that no further changes shall be made to the proposed location of the points of diversion in this matter.
2. Provided that Applicant does not change the location of its point(s) of diversion as

stipulated above, Protestant shall introduce no evidence at the hearing on this matter establishing, or tending to establish, that Applicant's proposed transfer may injure Protestant's water right(s) or well(s). Protestant shall be able to cross-examine Applicant's witnesses or any other witness produced by any party as to any subject to which that witness testified.

3. Through this stipulation, Protestant specifically does not waive any right he or his successors have or may have to assert and prove injury to his water right(s) or well(s) as a result of future diversions by Applicant from the wells or pursuant to the water rights that are the subject of proposed Transfer No. 79943.

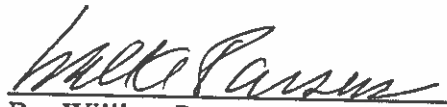
Dated this 15th day of August, 2016

Earl Warthen, Protestant


By: Charles L. Honsinger,

Dated this 15th day of August, 2016

Albion 12 Investments, LLC, Applicant


By: William Parsons,

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 2016, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

Albion 12 Investments, LLC
7595 E. McDonald Dr., Ste. 130
Scottsdale, AZ 85250

H. Lee Jolley
P.O. Box 21
Albion, ID 83311

Christopher J. King
P.O. Box 54
940 S. Hwy. 77
Albion, ID 83311

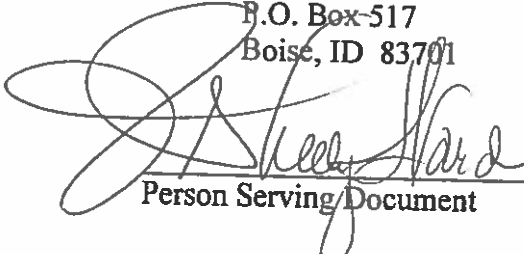
Parsons Smith & Stone
William A. Parsons
P.O. Box 910
Burley, ID 83318

Norman L. Smyer
76 S. Hwy. 77
Declos, ID 83323

James Wahlgren
P.O. Box 73
Albion, ID 83311

Kevin Smyer
P.O. Box 482
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Honsinger Law, PLLC
P.O. Box 517
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PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP

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August 15, 2016

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W., Suite 500
Twin Falls, ID 83301-5858

RE: Albion 12 Investments – Transfer No. 79943
Our File No. 13744.150010

Gentlemen:

Enclosed, for your information, is the signed Stipulation, in regards to the above-entitled matter.

Thank you for your courtesies. Should you have any questions please contact me.

Very truly yours,

**PARSONS, SMITH, STONE, LOVELAND
& SHIRLEY, LLP**

Mailed without signature to avoid delay

William A. Parsons

WAP/sw
Enc.