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Attorneys for Idaho Power Company

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JUL 27 2015

DEPARTMENT OF
WATER RESOURCES

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JUL 31 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 37-22951

In the name of Rotarun Ski Club Inc.

STIPULATION TO RESOLVE PROTEST

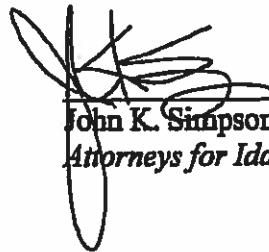
Idaho Power Company protested water right application no. 37-22951 filed by Rotarun Ski Club Inc. on the basis that the water use sought under the application has the potential to cause depletions in the Snake River that will cause the minimum flows established in the 1984 Swan Falls Agreement, to be measured at the Murphy Gauge, to be violated. The parties have conferred and have agreed that the inclusion of the following remark on any water right permit and license that may be issued for water right no. 37-22951 is acceptable to the Applicant, Rotarun Ski Club Inc., and will resolve the Protest of Idaho Power Company. The remark shall state:

The source of the water diverted under water right 37-22951 is "Trust Water" which is identified in the 1984 Swan Falls Agreement and defined as surface and ground water tributary to the Snake River between Milner Dam and Swan Falls. Depletion of water under 37-22951 has been mitigated by the retirement of water right 37-4332. Provided the aforementioned right is valid and active, and mitigation is sufficient to offset the depletion, diversions under 37-22951 shall not be subject to curtailment to satisfy the established minimum stream flows of 3,900 cfs from April through October and 5,600 cfs from November through March at the Murphy gage. Right 37-22951 shall be subject to review by the

Director consistent with the terms limits imposed upon trust water rights issued by the State and arising out of the 1984 Swan Falls Agreement.

Should the Idaho Department of Water Resources agree to inclusion of the remark set forth above on any water right permit and license that may issue for water right no. 37-22951, then Idaho Power Company hereby agrees to withdraw its Protest to water right application no. 37-22951.

DATED this 24th day of July, 2015.



John K. Simpson
Attorneys for Idaho Power Company


Rotarun Ski Club Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of July, 2015, I served a true and correct copy of the foregoing document, **STIPULATION TO RESOLVE PROTEST**, upon the following persons via the method indication below:

Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720

☒ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:

Rotarun Ski Club Inc.
P.O. Box 2083
Hailey, ID 83333

☒ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:

Zack Latham
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301

☒ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:



John Simpson

No. C 34810		Due no later than Sep 30, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. ROTARUN SKI CLUB, INC. (THE) PENNY COOK BOX 2083 HAILEY ID 83333 USA		FRITZ HAEMMERIE 400 S MAIN STE 102 HAILEY ID 83333			
				3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).							
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
DIRECTOR	TROY THAYER	P.O. BOX 1664	SUN VALLEY	ID	USA	83353	
PRESIDENT	JESSE FOSTER	PO BOX 156	HAILEY	ID	USA	83333	
VICE PRESIDENT	CRAIG JOHNSON	PO BOX 579	HAILEY	ID	USA	83333	
TREASURER	DONNY MCQUARY	202 W. CROY STREET	HAILEY	ID	USA	83333	
SECRETARY	MIKE LANDES	215 N. MAIN STREET	HAILEY	ID	USA	83333	
DIRECTOR	JOAN DAVIES	214 2ND AVE. N.	HAILEY	ID	USA	83333	
5. Organized Under the Laws of: ID C 34810		6. Annual Report must be signed.*					
		Signature: Penny Cook			Date: 09/22/2014		
		Name (type or print): Penny Cook			Title: Bookkeeper		
Processed 09/22/2014		* Electronically provided signatures are accepted as original signatures.					