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SAWTOOTH LAW
OFFICES, PLLC

RECEIVED
MAY 07 2015
DEPARTMENT OF
WATER RESOURCES

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*Attorneys licensed in Idaho
* Also licensed in Washington*

Wednesday, May 06, 2015

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
MAY 08 2015
WATER RESOURCES
WESTERN REGION

RE: Application for Permit No. 63-33977

Dear Department Representative:

Enclosed for filing in the above-referenced matter is the following original document:

1. Stipulation to Resolve Protest

Please provide a date-stamped copy of this document to each of the parties via the self-addressed, postage prepaid envelopes enclosed.

Thank you for your assistance.

Very truly yours,

Debby Long
Legal Assistant

/dll

Enclosures

cc: Kyle and Andrea Larson
1860 S. Canonero Way
Boise, ID 83709

RECEIVED

MAY 07 2015

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAY 08 2015

WATER RESOURCES
WESTERN REGION

S. BRYCE FARRIS (ISB # 5636)
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Attorneys for Protestant
Nampa & Meridian Irrigation District

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

APPLICATION FOR PERMIT
NO. 63-33977 IN THE NAME
OF KYLE AND ANDREA LARSON

STIPULATION TO RESOLVE PROTEST

COMES NOW, Applicants Kyle and Andrea Larson (hereinafter "Applicants"), and the Protestant Nampa & Meridian Irrigation District (hereinafter "Protestant"), by and through its counsel of record, and hereby submit this *Stipulation to Resolve Protest* in the above-captioned matter.

Applicants and Protestant hereby stipulate and agree as follows:

1. Applicant and Protestant agree that the permit for Water Right No. 63-33977 may be granted contingent upon the following conditions be included in Applicant's final Permit to Appropriate Water for Water Right No. 63-33977:

- a. The primary surface irrigation water for the place of use authorized under this right is delivered by Nampa & Meridian Irrigation District. The right holder shall make full beneficial use of all surface water rights available to

the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

- b. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- c. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

2. Protestant hereby withdraws its Protest filed in the above-captioned matter based upon the inclusion of the conditions stated in this Stipulation in Applicants' final Permit to Appropriate Water for Water Right No. 63-33977. This filing of this Stipulation to Resolve Protest shall serve as Protestant's withdrawal of its Protest.

DATED this 30 day of April, 2015.

By: 

Kyle Larson, Applicant

DATED this 30 day of April, 2015.

By: Andrea Larson
Andrea Larson, Applicant

DATED this 6th May day of ~~April~~, 2015.

SAWTOOTH LAW OFFICES, PLLC

By: S. Bryce Farris
S. Bryce Farris
Attorneys for Protestant, Nampa &
Meridian Irrigation District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th May day of ~~April~~, 2015, I caused a true and correct copy of the foregoing **STIPULATION TO RESOLVE PROTEST** to be served by the method indicated below, and addressed to the following:

Kyle and Andrea Larson
1860 S. Canonero Way
Boise, ID 83709

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

300 E. Idaho Department of Water Resources
~~200~~ W. Front Street
Boise, Idaho 83702

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

S. Bryce Farris
S. Bryce Farris