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DEPT. OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER 78043 IN THE NAME OF) **SETTLEMENT AGREEMENT**
7-SPRINGS RANCH, LLC)

The United States of America (hereinafter "Protestant") and 7-Spring Ranch, LLC (hereinafter "Applicant") agree and stipulate to resolve the United States Department of Interior, Bureau of Land Management (hereinafter "BLM") protest of Application for Transfer 78043.

STIPULATION

WHEREAS, the Applicant filed Application for Transfer 78043 on July 13, 2012 with the Idaho Department of Water Resources ("IDWR") to establish a new Point of Diversion ("POD") for Irrigation purposes under water right numbers 43-00369A and 43-00370.

WHEREAS, the BLM has filed a protest of Application for Transfer 78043 for the following reasons:

- a. The Application for Transfer seeks to add a POD on BLM land in the SENENW, S10, T13S, R25E that has not been authorized by BLM.

WHEREAS, the Protestant and the Applicant wish to resolve their dispute regarding Application for Transfer 78043;

THEREFORE, the Protestant and the Applicant stipulate and agree as follows:

1. The Applicant agrees to seek authorization from BLM to construct an irrigation diversion on BLM land and has filed an application for a Right of Way Grant.
2. The parties stipulate and agree that the transfer shall impose a condition on the

Settlement Agreement

Transfer 78043

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water rights involved in the transfer, as follows: "This right does not grant any right-of-way or easement across the land of another and does not constitute approval that may be required by the United States to access federal public land."

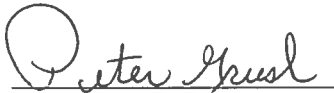
3. The Applicant further agrees and stipulates that if BLM denies the ROW application, then the Applicant agrees this transfer shall be rescinded.

4. The Protestant hereby withdraws its protest upon acceptance, approval and adoption of this Agreement by IDWR in its entirety.

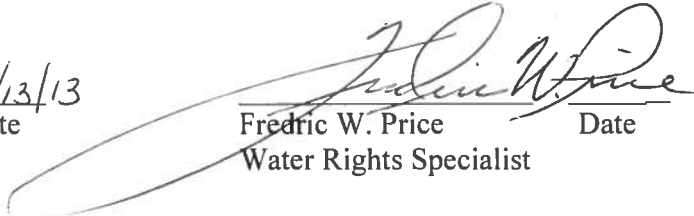
Respectfully submitted,

APPLICANT:
7-SPRINGS RANCH, LLC

PROTESTANT:
U.S.D.I., BUREAU OF LAND
MANAGEMENT


Peter Grush
Manager

4/13/13
Date


Fredric W. Price
Water Rights Specialist

04-22-13
Date

CERTIFICATE OF SERVICE

I certify that on April 22, 2013, I served a true and correct copy of foregoing **SETTLEMENT AGREEMENT; APPLICATION FOR TRANSFER 78043** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

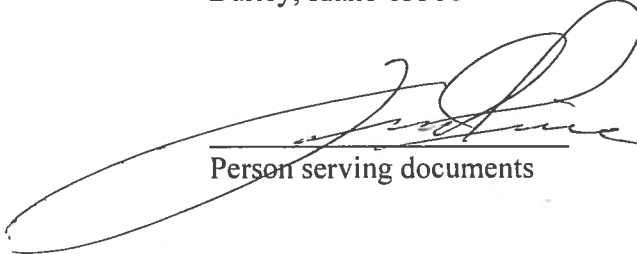
Allen Merritt, Manager
Idaho Department of Water Resources (IDWR)
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Copies to:

7-Springs Ranch, LLC
2025 S. HWY 81
Malta ID 83342

Steve Davis, Hydrologist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office
15 East 200 South
Burley, Idaho 83318

Mike Courtney, Field Office Manager
U.S., Department of the Interior,
Bureau of Land Management,
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Burley, Idaho 83318



Person serving documents