

Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 77826 IN THE) **SETTLEMENT AGREEMENT**
NAME OF CONSOLIDATED IRRIGATION)
COMPANY)

The United States of America (hereinafter "Protestant") and Consolidated Irrigation Company (hereinafter "Applicant") agree and stipulate to resolve the United States Department of Interior, Bureau of Land Management (hereinafter "BLM") protest of Transfer Application No. 77826, involving Water Right No. 13-07747 as follows:

STIPULATION

WHEREAS, the BLM has filed a protest of Transfer Application No. 77826 because the place of use description includes legal land descriptions describing federal public land managed by BLM as follows: Lot 2 (SWNW), Lot 3 (NWSW), S19, T14S, R41E; and NENE, NWNE, and SWNE, S19, T15S, R41E; and

WHEREAS, the Protestant and the Applicant wish to resolve their dispute regarding this Transfer Application No. 77826;

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

1. The parties stipulate and agree that Transfer Application No. 77826 should be approved by the Idaho Department of Water Resources (“IDWR”), provided legal land descriptions describing federal public land are removed from the place of use element, IDWR’s list of legal land descriptions under the “Large POU” link, and the shapefile comprising the digital

boundary shall be adjusted to exclude federal public land.

2. The parties agree and stipulate that the shapefile comprising the digital boundary definition of the place of use element shall be the shapefiles agreed to and emailed to IDWR on April, 27, 2012.

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

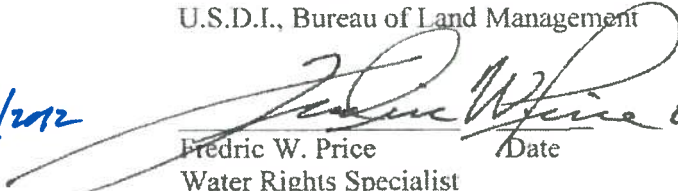
Respectfully submitted,

APPLICANT:
Consolidated Irrigation Company


Robert L. Harris
Of Attorney for Applicant

4/27/2012
Date

PROTESTANT:
U.S.D.I., Bureau of Land Management


Fredric W. Price
Water Rights Specialist

04-26-12
Date

CERTIFICATE OF SERVICE

I certify that on April 2nd, 2012, I served a true and correct copy of foregoing **SETTLEMENT AGREEMENT; TRANSFER NO. 77826** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

James Cefalo
Idaho Department of Water Resources (IDWR)
Eastern Regional Office
900 North Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Copies to:

Robert L. Harris, ISB #1079
Holden, Kidwell, Hahn & Crapo, PLLC
P.O. Box 50130
Idaho Falls, ID 83405
REPRESENTING:
Consolidated Irrigation Company

Fredric W. Price, Water Rights Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657


Person serving documents