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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 PERMIT NO. **01-10566** IN THE NAME OF IRRIGATION DISTRICT SOUTHWEST	))))	CORRECTED **SETTLEMENT AGREEMENT**

The United States of America (hereinafter "Protestant") and Southwest Irrigation District (hereinafter "Applicant") agree and stipulate to resolve the United States Department of Interior, Bureau of Land Management (hereinafter "BLM") protest of water permit application #01-10566 as follows:

STIPULATION

WHEREAS, the BLM has filed a protest of water permit application #01-10566 because the place of use description for Groundwater Recharge purposes included federal public land where such water using activity is not authorized; and

WHEREAS, the Protestant and the Applicant wish to resolve their dispute regarding this water permit application;

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

1. The parties stipulate and agree that the water permit should be approved by the Idaho Department of Water Resources, provided:

   a. The place of use element for Groundwater Recharge purposes under permit application 01-10566 be amended to exclude federal public land where Groundwater Recharge is not authorized by the United States: SWNW, S05, T12S, R21E; Lot 4 (NWNW), SWNW, S03, T13S, R21E.

2. The Applicant hereby amends the place of use description and/or digital boundary definition of the place of use element for Groundwater Recharge purposes within 01-10566 to exclude the following legal land descriptions: SWNW, S05, T12S, R21E; Lot 4 (NWNW), SWNW, S03, T13S, R21E.

3. The parties agree and stipulate that the amendment described above resolves BLM's protest by adopting a place of use description and/or digital boundary description of the place of use element for Groundwater Recharge purposes within 01-10566 which excludes federal public land as described above. The Protestant hereby withdraws its protest of application 01-10566 pursuant to the place of use amendment described herein.

Respectfully submitted,

APPLICANT:

3-10-2010

William A. Parsons Date
Parsons, Smith & Stone, LLP
Attorney for Southwest Irrigation District

PROTESTANT:

3-16-2010

Fredric W. Price Date
Water Rights Specialist
U.S.D.I., Bureau of Land Management

CERTIFICATE OF SERVICE

I certify that on 03-16, 2010, I served a true and correct copy of foregoing **SETTLEMENT AGREEMENT; APPLICATION NUMBER: 01-10566** upon the following individuals by placing the document in the United States Mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

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

Copies to:

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Person serving documents