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DEPARTMENT OF
WATER RESOURCES

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Jolynn Drage, Clerk District
Court Blaine County, Idaho

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Attorney for Respondent

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF AMENDED)
TRANSFER NO. 73570 IN THE NAME OF)
LOWREY HASCALL KAMMER AND TAMI)
SIPE KAMMER.)

Case No. CV 2007-991

LOWREY HASCALL KAMMER AND)
TAMI SIPE KAMMER,)

Petitioners,)

JOINT MOTION
FOR DISMISSAL

vs.)

IDAHO DEPARTMENT WATER RESOURCES,)
An agency of the State of Idaho,)

Respondent.)

COME NOW, the Petitioners, Lowrey Hascall Kammer and Tami Sipe Kammer ("Kammer") and the Respondent, the Idaho Department of Water Resources ("IDWR"), and through their respective undersigned counsel of record jointly move this Court, pursuant to I.R.C.P. 84(o), for entry of an order dismissing this action.

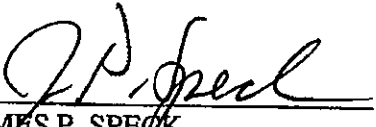
The motion is supported by the record in this case as follows:

1. Based on a joint motion of the parties, the Court entered an *Order of Remand* on February 5, 2008 returning the matter to IDWR for further consideration in accordance with the Stipulated Agreement for Remand.

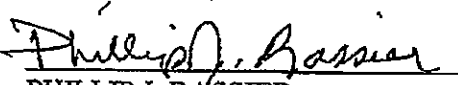
2. Consistent with paragraph 2 of the *Order of Remand*, the parties now move for dismissal of the appeal and agree that each party shall bear its own costs and attorney fees.

DATED this 8 day of May, 2009.

For Petitioners


JAMES P. SPECK
SPECK & AANESTAD

For Respondent


PHILLIP J. RASSIER
Deputy Attorney General
Idaho Department of Water Resources

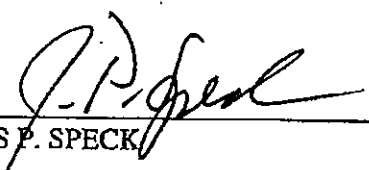
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the following described document on the person(s) listed below by mailing in the United States mail, first class, with the correct postage affixed thereto on this 8 day of May, 2009.

Documents Served: **JOINT MOTION FOR DISMISSAL
(Proposed) ORDER OF REMAND**

Persons Served:

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JAMES P. SPECK