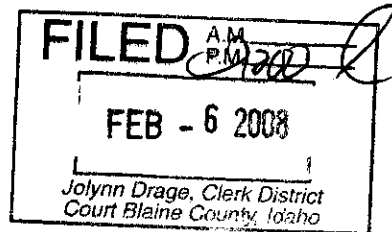


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FEB 08 2008
DEPARTMENT OF
WATER RESOURCES



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,

ORDER OF REMAND

vs.

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

Respondent.

Petitioners timely filed this action for judicial review appealing an order of the Respondent Idaho Department of Water Resources approving Amended Water Right Transfer No. 73570. The parties have filed a Joint Motion for Remand which the Court has reviewed together with the parties' Stipulated Agreement for Remand in support thereof, and good cause appearing therefore, it is HEREBY ORDERED:

1. That the action be and is hereby remanded to the Idaho Department of Water Resources for the purpose of having the department further consider the matter in accordance with the Stipulated Agreement for Remand.

2. Upon the issuance of an order by the department on remand, the parties shall move to dismiss this appeal unless the Petitioners remain aggrieved by the order on remand and elect to continue with judicial review based upon the department's order on remand.

3. That each party to this action shall bear its own costs and attorney fees.

DATED this 5 day of February 2008.

/s/ Robert J. Elgee
Robert J. Elgee
District Judge

CERTIFICATE OF SERVICE

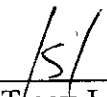
The undersigned certifies that on the 16 day of February, 2008, a true and correct copy of the foregoing **Order of Remand** has been served upon the following persons in the manner noted below:

James P. Speck
Speck & Aarnestad
120 East Avenue
Post Office Box 987
Ketchum, Idaho 83340

- U.S. Mail, postage prepaid

Phillip J. Rassier
John W. Homan
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

- U.S. Mail, postage prepaid



Tracy J. Holz, Deputy Clerk
