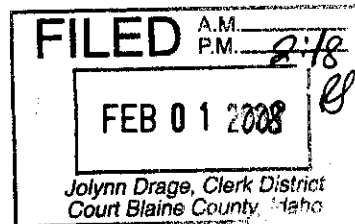


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Attorneys for Respondent



RECEIVED
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

LOWREY HASCALL KAMMER AND
TAMI SIPE KAMMER,

Petitioners,

vs.

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

Respondent.

Case No. CV 2007-991

**STIPULATED AGREEMENT
FOR REMAND**

RECITALS

This Stipulation is entered into by and between the Petitioners Lowrey Hascall Kammer and Tami Sipe Kammer (Kammer) and the Respondent Idaho Department of Water Resources (IDWR).

A. Kammer filed this action on December 4, 2007, requesting judicial review pursuant to I.C. §67-5270 of the final order of IDWR in the Matter of Amended Transfer No. 73570 in the Names of Lowery Hascall Kammer and Tami Sipe Kammer.

B. IDWR issued a preliminary order approving Amended Transfer No. 73570 with conditions on October 23, 2007. The preliminary order became final on November 6, 2007. No hearing was conducted before IDWR in this matter.

C. On December 4, 2007, Kammer filed with the district court a petition for judicial review of the final order.

D. The parties desire to enter into the following agreement providing for the matter to be remanded to IDWR for the purpose of considering the objections raised by Kammer to the order approving Amended Transfer No. 73570.

IN CONSIDERATION OF THE PROMISES STATED, THE PARTIES AGREE AS FOLLOWS:

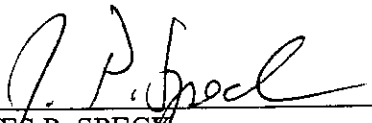
1. The proceeding on appeal to the district court shall be remanded to IDWR for consideration of the issues raised by Kammer in the Petition for Judicial Review, including if requested the conduct of a formal hearing before IDWR.

2. Following consideration of the matter on remand, IDWR shall enter an order addressing the issues raised by Kammer.

3. Upon implementation of this agreement through entry of an order by IDWR on remand, the parties shall move to dismiss the appeal pending before the district court unless Kammer remains aggrieved and elects to proceed with this action for judicial review.

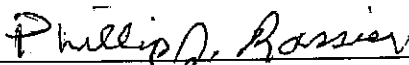
IN WITNESS WHEREOF, the parties have executed this agreement on the date following their respective signatures.

PETITIONERS

By 
JAMES P. SPECK
SPECK & AANESTAD
Attorneys for Lowrey Hascall Kammer
And Tami Sipe Kammer

Date 1/24/08

RESPONDENT

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

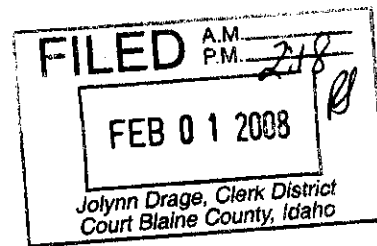
Date 1/22/08

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Attorneys for Respondent



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DEPARTMENT OF
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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 REMAND**

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 remanding this action to IDWR.

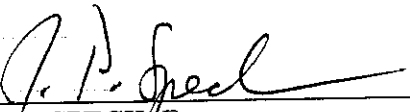
The parties request the matter be remanded to IDWR for the purpose of permitting IDWR to consider the objections raised by Kammer to the order approving Amended Transfer No. 73570 in accordance with the parties' Stipulated Agreement For Remand being filed concurrently with and in support of this motion. This motion is further based upon the pleadings and other matters of record in this action. No hearing is requested on the motion.

DATED this 24 day of January, 2008.

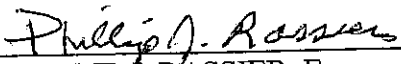
PETITIONERS

RESPONDENT

By


JAMES P. SPECK, Esq.
SPECK & AANESTAD
A Professional Corporation

By


PHILLIP J. RASSIER, Esq.
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 _____ day of January, 2008.

Documents Served: **JOINT MOTION FOR REMAND**
 STIPULATED AGREEMENT FOR REMAND

PHILLIP J. RASSIER
JOHN W. HOMAN
Deputy Attorneys General
Idaho Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0098



JAMES P. SPECK