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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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Attorneys for the Idaho Water Resource Board

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 87653 (Friedman Memorial Airport Authority) and TRANSFER NOS. 87657, 67658, 67659, 67660 (Eccles Window Rock Ranch LLC)	)))))	**JOINT STIPULATION AND WITHDRAWAL OF PROTEST**

Applicants Friedman Memorial Airport and Eccles Window Rock Ranch LLC (collectively "Applicants") and protestant the Idaho Water Resource Board ("IWRB"), by and through their undersigned counsel of record, and pursuant to IDAPA 37.01.01.204, .557, and .612, hereby stipulate to a settlement of IWRB's protest in the above-entitled matters, the terms and conditions of which are set forth herein.

To mitigate for the effects of transferring ground water rights 37-23407, 37-23410, 37-8209, 37-8080, 37-22547, 37-7745C on the IWRB's minimum streamflow water rights 37-7919 and 37-8307, Applicants agree to change a portion of water right 37-8209 to the purpose of use of "mitigation by non-use" as outlined below:

Right No.	**Use Change to Mitigation by Non-Use**	**Mitigation Rate**	**Mitigation Volume**	**Mitigation Acres**
37-8209	Irrigation	0.04 cfs	7.0 acre-feet	2 acres

The parties move the Department, pursuant to IDAPA 37.01.01.556, .612 for an order ("Order") approving the stipulated changes to the above water right and confirming that they will be included by the Department in any approvals of the above-entitled transfers. The IWRB's protest to the transfers shall be deemed withdrawn upon the issuance of a final Order stating that the stipulated changes to the above water rights are approved and shall be made a part of the transfers' approval.

The parties respectfully request the entry of an Order approving the stipulated settlement set forth herein; each party to bear its own costs, expenses, and attorney's fees.

For the ECCLES WINDOW ROCK RANCH LLC

J. Evan Robertson, Attorney

Date: **January 3, 2025**

For the FRIEDMAN MEMORIAL AIRPORT AUTHORITY

JRL

Date: January 5, 2025

James R. Laski
Attorney for Friedman Memorial Airport Authority

For the IDAHO WATER RESOURCE BOARD

Ann N. Yribar
Deputy Attorney General

Date: 1/6/2025

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of January 2025, I caused to be served a true and correct copy of the foregoing JOINT STIPULATION AND WITHDRAWAL OF PROTEST by placing a copy thereof in the manner listed below:

Idaho Department of Water Resources Southern Region 650 Addison Ave W. Ste. 500 Twin Falls ID 83301-5858	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☒ Email: corey.skinner@idwr.idaho.gov ☐ Statehouse Mail
Friedman Memorial Airport Authority 1616 Airport Cir. Hailey ID 83333-5534	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☒ Email: jrl@lawsonlaski.com ☐ Statehouse Mail
Eccles Window Rock Ranch LLC 79 S Main St. Floor 2 Salt Lake City UT 84111-1929	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☒ Email: erobertson@rsidaholaw.com ☐ Statehouse Mail
Erick Powell Brockway Engineering 2016 N Washington St. Ste. 4 Twin Falls ID 83301	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☐ Email: ☐ Statehouse Mail

ANN N. YRIBAR
Deputy Attorney General

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Jan 06, 2025
DEPARTMENT OF
WATER RESOURCES

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OF THE STATE OF IDAHO

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For the ECCLES WINDOW ROCK RANCH LLC

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Date: **January 3, 2025**

For the FRIEDMAN MEMORIAL AIRPORT AUTHORITY

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James R. Laski
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Erick Powell Brockway Engineering 2016 N Washington St. Ste. 4 Twin Falls ID 83301	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☐ Email: ☐ Statehouse Mail

ANN N. YRIBAR
Deputy Attorney General

Maline, Denise

From: Rebecca Wills <Rebecca.Wills@ag.idaho.gov>
Sent: Monday, January 6, 2025 1:29 PM
To: IDWR File; Skinner, Corey; jrl@lawsonlaski.com; erobertson@rsidaholaw.com
Cc: Ann Yribar
Subject: Transfer 87653 Friedman Airport Eccles Joint Stipulation and Withdrawal of Protest.pdf
Attachments: Transfer 87653 Friedman Airport Eccles Joint Stipulation and Withdrawal of Protest.pdf

Please see the attached document with signatures. Thank you

Rebecca Wills | Legal Assistant
Central Office | Energy and Natural Resources
Office of the Attorney General | State of Idaho
O: 208-334-4544 | W: ag.idaho.gov

NOTICE: This message, including any attachments, is intended only for the individual(s) or entity(ies) named above and may contain information that is confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you are not the intended recipient, please reply to the sender that you have received this transmission in error, and then please delete this email.