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*Counsel for Applicant Idaho Water Resource
Board*

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS
FOR PERMIT NOS. 01-7142 AND 01-
10609 IN THE NAME OF IDAHO WATER
RESOURCE BOARD

JOINT STIPULATION TO
RESOLVE PROTEST

Applicant Idaho Water Resource Board ("IWRB") and protestant United States Bureau of Land Management ("Protestant"), by and through their undersigned counsel of record and representatives, and pursuant to IDAPA 37.01.01.204, .260, .557 and .612, hereby stipulate to a settlement of Protestant's protest to water right applications 01-7142 and 01-10609 (the "Applications"), the terms and conditions of which are set forth herein.

The IWRB agrees to file with BLM application(s) for right(s)-of-way across federal lands

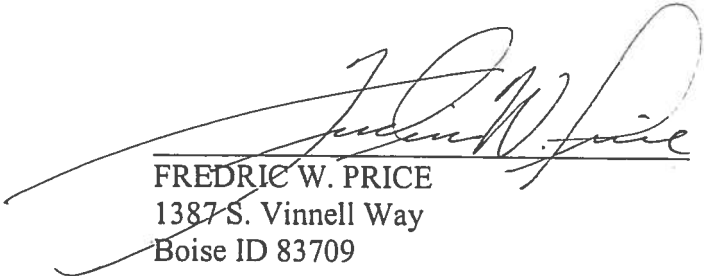
for recharge and recharge conveyance that include, at a minimum, the federal lands described in the places of use for the Applications. The parties agree that, by filing application(s) for right(s)-of-way across federal lands with the BLM, the IWRB has demonstrated to IDWR, for purposes of permitting the Applications, that the IWRB is seeking permission from BLM to use federal lands within the places of use. The BLM agrees that the Applications may proceed to permitting while the application(s) for right(s)-of-way are pending, provided that no water under the Applications may be used on federal lands until authorized in writing by the BLM Authorized Officer. The BLM may issue right(s)-of-way for recharge and conveyance of recharge water across additional portions of federal lands not outlined in the Applications' places of use on the condition that the IWRB cannot use those portions of the right(s)-of-way until authorized in writing by the BLM Authorized Officer. No representation is made hereby as to the legal necessity for right(s)-of-way across federal land for recharge and recharge conveyance under the Applications; nor is there any guarantee or promise implied or inferred that right(s)-of-way will ultimately be granted.

The parties agree that the following conditions shall be placed on any approved water permit:

- A. This right does not grant any right-of-way or easement across the land of another.
- B. Prior to diversion and use of water under this approval, the right holder shall obtain Bureau of Land Management authorization necessary to access the point of diversion or place of use or to convey water across federal land.
- C. Places of use for groundwater recharge describing federal public lands within the canals and discharges outside of the canals onto federal public land are not authorized, unless specifically authorized in writing by the United States.

The parties move the Department, pursuant to IDAPA 37.01.01.557, .612 for an order (“Order”) approving this Joint Stipulation to Resolve Protest; each party to bear its own costs, expenses, and attorney’s fees.

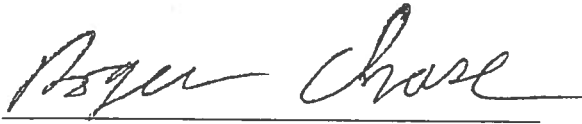
For the UNITED STATES BUREAU OF LAND MANAGEMENT



FREDRIC W. PRICE
1387 S. Vinnell Way
Boise ID 83709

Date: 04-05-2017

For the IDAHO WATER RESOURCE BOARD

A handwritten signature in black ink, appearing to read "Roger Chase", written over a horizontal line.

Roger Chase, Chairman IWRB

Date: 4/14/17

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of April, 2017, a true and correct copy of the foregoing was filed and/or served upon the following individual(s) by the means indicated:

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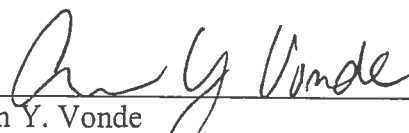
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By: 
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