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APR 26 2018  
DEPARTMENT OF  
WATER RESOURCES

*Attorneys for Applicant SUEZ Water Idaho Inc.*

**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES**

IN THE MATTER OF INTEGRATED  
MUNICIPAL APPLICATION PACKAGE  
("IMAP") OF SUEZ WATER IDAHO INC.,  
BEING A COLLECTION OF INDIVIDUAL  
APPLICATIONS FOR TRANSFERS OF  
WATER RIGHTS AND APPLICATIONS  
FOR AMENDMENT OF PERMITS.

NOTICE OF WITHDRAWAL OF  
DISCOVERY AND STIPULATION  
REGARDING SCOPE OF PROTEST

Protestants Boise Project Board of Control, Big Bend Irrigation District, Boise-Kuna Irrigation District, and Wilder Irrigation District (collectively, "Boise Project") by and through their undersigned counsel and Applicant SUEZ Water Idaho Inc. ("SUEZ") by and through its undersigned counsel hereby agree to this *Notice of Withdrawal of Discovery Requests and Stipulation Regarding Scope of Discovery* ("Stipulation").

This *Stipulation* is the result of productive discussions between Boise Project and SUEZ aimed at facilitating communications and cooperation, together with other disclosures and pleadings made by SUEZ in this IMAP proceeding.

Accordingly, SUEZ and Boise Project hereby stipulate and agree as follows:

1. On March 16, 2018, the Boise Project Board of Control filed its *Motion for Summary Judgment to Limit Planning Horizon* ("MSJ"). The MSJ has been fully

**NOTICE OF WITHDRAWAL OF DISCOVERY AND STIPULATION FOR REGARDING SCOPE OF PROTECT**

Stipulation regarding scope of protest (4\_26\_2018) smd / 30-147

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briefed. The parties do not know whether the Hearing Officer intends to schedule oral argument on the *MSJ*.

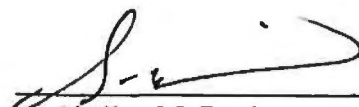
2. On April 26, 2018, the Boise Project Board of Control and SUEZ contacted the Hearing Officer by email and asked that any ruling on the *MSJ* be delayed for a short duration while the Parties explore a resolution of the issues presented in that motion. Those discussions between the parties are underway, and may or may not lead to a resolution of Boise Project's protest.
3. If no resolution as to the *MSJ* can be reached, the parties will promptly notify the Hearing Officer and request a decision on the merits of the *MSJ* (with or without oral argument).
4. In any event, Boise Project hereby stipulates that the only issue it intends to pursue in this proceeding or on appeal thereof is the issue of the duration of the planning horizon as presented in its pending *MSJ* and briefing.
5. Accordingly, Boise Project further stipulates that it will not present evidence, witnesses, or argument, nor cross-examine witnesses, in opposition to SUEZ as to any other issues arising in this IMAP proceeding or appeal thereof.
6. In the event the Hearing Officer defers a decision on the pending *MSJ* and takes up the matter of the duration of the planning horizon at a future hearing, Boise Project agrees to rest on the information and arguments it has presented in connection with the pending motion and not to offer new evidence, testimony, argument, or cross-examination beyond the scope of what has been presented by Boise Project to date.

7. In consideration of the above stipulations, SUEZ hereby withdraws all discovery served on Boise Project, responses to which are due on Monday, April 30, 2018.

Respectfully submitted this 26<sup>th</sup> day of April, 2018.

BARKER RSHOLT & SIMPSON LLP

By

  
Shelley M. Davis

*Attorneys for Protestants  
Boise Project Board of Control,  
Big Bend Irrigation District,  
Boise-Kuna Irrigation District, and  
Wilder Irrigation District*

Respectfully submitted this 26<sup>th</sup> day of April, 2018.

GIVENS PURSLEY LLP

By

  
Christopher H. Meyer

*Attorneys for Applicant  
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### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this \_\_\_\_ day of April, 2018, the foregoing was filed, served, and copied as shown below. Service by email is authorized by the Hearing Officer's Order of September 11, 2017 at page 3.

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