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Attorneys for Respondent

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

VEOLIA WATER IDAHO, INC., an Idaho
corporation,

Petitioner,

v.

IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV01-23-04525

**STIPULATION FOR DISMISSAL OF
APPEAL**

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 85719 IN THE NAME OF
VEOLIA WATER IDAHO, INC.

Petitioner, Veolia Water Idaho, Inc. (“Veolia”), and Respondent, the Idaho Department of Water Resources (“Department”), by and through their undersigned attorneys of record, pursuant to I.R.C.P. 84(r) and I.A.R. 33, hereby stipulate for the dismissal of the above-captioned appeal.

On March 16, 2023, Veolia commenced this action by filing a *Petition for Judicial Review*. On March 27, 2023, Veolia commenced another court action by filing a *Motion to Set*

Aside Final Unified Decree and to Correct or Amend the Partial Decree for Water Right No. 63-9245, In re SRBA, Case No. 39576, Subcase No. 63-9245, with the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls (the “SRBA Matter”). Both filings sought an order from the Court to modify the same condition included in the partial decree for Water Right No. 63-9245. Pet. for Jud. Rev. ¶¶ 2, 3.

Veolia and the Department agreed it was not necessary to have the two cases moving forward at the same time, so to promote judicial efficiency and the economic interest of the parties, the parties filed a *Stipulated Motion and Supporting Points to Suspend Appeal* in this case on April 24, 2023. On April 25, 2023, this Court issued an *Order Granting Stipulated Motion to Suspend Appeal*.

In the SRBA Matter, the Twin Falls County District Court has since addressed the common issue raised. Therefore, Veolia no longer seeks to pursue its petition and the parties agree to an order dismissing the subject appeal.

The parties acknowledge and agree that each party shall bear its own costs and attorneys’ fees incurred in or arising out of the above-captioned matter.

DATED this 26th day of October 2023.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

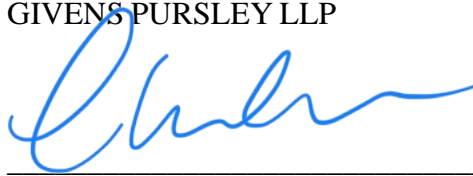
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GARRICK L. BAXTER
Deputy Attorney General

Attorney for Respondent

DATED this 25th day of October 2023.

GIVENS PURSLEY LLP

A handwritten signature in blue ink, appearing to read 'Michael P. Lawrence', is written over a horizontal line.

MICHAEL P. LAWRENCE
CHARLIE S. BASER

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of October 2023, I caused to be served a true and correct copy of the foregoing *Stipulation for Dismissal of Appeal*, via iCourt E-File and Serve, upon the following:

Michael P. Lawrence
Charlie S. Baser
GIVENS PURSLEY LLP
mpl@givenspursley.com
csb@givenspursley.com

A handwritten signature in blue ink, appearing to read "G. Baxter", written over a horizontal line.

GARRICK L. BAXTER
Deputy Attorney General