

In Re SRBA

Subcase No. 63-9658

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

STANDARD FORM 5 - 63-9658

IDWR Concurrence:

Jan Shurte 12/1/06
Jan Shurte Date
Adjudication Supervisor

Susan H. Hamlin Nygard 12/1/06
Susan H. Hamlin Nygard (as to form) Date
Deputy Attorney General for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-9658

NAME AND ADDRESS: LAKEWOOD NO. 4 HOMEOWNERS ASSOC.
3156 WOODBROOK PL
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.420 CFS
~~1.00 AFY~~

The total instantaneous diversion of water from all points of diversion under Rights 63-8402, 63-9658 and 63-10818 shall not exceed 0.42 cfs, nor a total combined ~~annual~~ stored volume of 2.0 ~~20.1~~ af, nor a total combined annual volume of 26.1 for irrigation

PRIORITY DATE: 03/01/1981

POINT OF
DIVERSION:

T03N R02E S26 NENW Within ADA County

T03N R02E S26 NENW Within ADA County

Rights 63-8402 and 63-10818 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	10/01 04/15	0.420 CFS
AESTHETIC STORAGE	01/01 12/31	1.00 AFY

PLACE OF USE: AESTHETIC STORAGE in ADA County

T03N R02E S23 SESW T03N R02E S26 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~The right holder shall accomplish the change authorized by Transfer 71237 within one year of the date of the approval.~~

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The well previously used under Right 63-9658 in the NWNE, Section 3 shall be abandoned in a manner which complies with Department well abandonment rules.

This right does not grant any right-of-way or easement across the land of another.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

*OK
DOW*

CERTIFICATE OF MAILING

I certify that on December 1, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

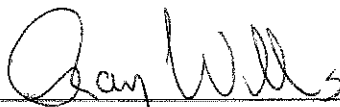
Hand Delivered

2. Copies to:

Lakewood No. 4 Homeowners Assoc.
3156 Woodbrook Pl
Boise, ID 83706

HAND DELIVERED

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form