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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 63-3165

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Meadow Creek Homeowners Association
c/o AMI

Charles L. Honsinger 03/14/07

Charles L. Honsinger
Attorney

Date

STANDARD FORM 5 - 63-3165

COPY

IDWR Concurrence:

Kay Walker 3/9/07
Kay Walker Date
Senior Water Resource Agent

Nicholas B. Spencer 3-9-07
Nicholas B. Spencer Date
Deputy Attorney General

SF5 Right No. 63-3165

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

RIGHT NUMBER: 63-3165

NAME AND ADDRESS:

MEADOW CREEK HOMEOWNERS ASSN
C/O AMI
PO BOX 5714
BOISE ID 83705

SOURCE:

Source:

Tributary:

UNNAMED DRAIN

BOISE RIVER

QUANTITY:

2.500 CFS

~~1.250 CFS~~

40.000 AFY

~~20.000 AFY~~

PRIORITY DATE: 08/11/1959

POINT OF DIVERSION:

T04N R01E S24 Lot 4 NWSW
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

AESTHETIC

03/15 11/15

2.500 CFS

~~1.250 CFS~~

AESTHETIC STORAGE

03/15 11/15

40.00 AFY

~~20.00 AFY~~

DIVERSION TO STORAGE

03/15 11/15

2.500 CFS

~~1.250 CFS~~

kw
NBS
C.2.7X

PLACE OF USE:

AESTHETIC within ADA County

T04N R01E S24 Lot 4 NWSW

AESTHETIC STORAGE within ADA County

T04N R01E S24 Lot 4 NWSW

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

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Property is also known as Wolfgram Subdivision.

~~The right holder shall accomplish the change authorized by Transfer No. 3958 within one (1) year of the date of the approval.~~

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

~~Three years from the date of approval of Transfer No. 3958, the portion of the right specified for irrigation of one acre shall revert to the aesthetic use.~~

~~Use of water under this water right will be regulated by the watermaster of State Water District No. 63.~~

SF5 Right No. 63-3165

CERTIFICATE OF MAILING

I certify that on March 16, 2007, 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:

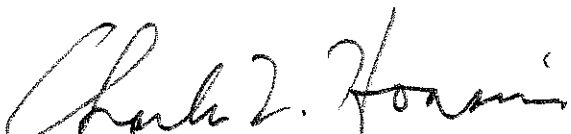
1. Original to:

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

2. Copies to:

Charles L. Honsinger
Ringert Clark Chartered
PO Box 2773
Boise, ID 83701

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


Signature of person mailing the form