

APR 03 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

COPY

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: 63-32949

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. 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; and 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 indicate their concurrence by their signatures below and by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

CLAIMANT/ OBJECTOR:

Bob Weber 3/24/08
Hewlett Packard Co Date
Bob Weber

Date _____

IDWR CONCURRENCE:

Jan Shurte 3/24/08
Jan Shurte Date
Adjudication Supervisor, IDWR


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

3-25-08
Date

RECEIVED

MAR 24 2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAWWATER RESOURCES
WESTERN REGION

RIGHT NUMBER: 63-32949

NAME AND ADDRESS: HEWLETT PACKARD CO
11311 CHINDEN BLVD
MAIL STOP 882
ATTN ROBERT WEBER
BOISE ID 83714-0021

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.220 CFS

This right when combined with Right No. 63-8306 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.220 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S27	NENE	4.00	T04N R01E S27	NWNE	10.00
T04N R01E S27	SWNE	21.00	T04N R01E S27	SENE	21.00
T04N R01E S27	NENW	6.00	T04N R01E S27	NWNW	27.00
T04N R01E S27	SWNW	4.00	T04N R01E S27	SENW	10.00

103 ACRES TOTAL

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.

ROW
JP
NBS

SF5 Right No. 63-32949

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is deliverd via the Settlers Irrigation District Canal system.

This right is a split from former right 63-32815 .

This right is also designated as Right No. 30 in the Boise River Stewart Decree and Boise River Water Distribution Report.

CERTIFICATE OF MAILING

I certify that on March 27, 2008, 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:

HEWLETT PACKARD CO.
ATTENTION: ROBERT WEBER
11311 CHINDEN BLVD
MAIL STOP 882
BOISE, ID 83714-0021

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form