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DEPARTMENT OF
WATER RESOURCES

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

2008 OCT 1 AM 10 43

**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. 63-2893

)

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/OBJECTOR:

City of Meridian

 09/25/08

Charles L. Honsinger Date
Attorney for Claimant/Objector

IDWR Concurrence:

Carter Fritschle 9-28-08
Carter Fritschle Date
Adjudication Section Manager

Andrea L. Courtney 9/16/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

08/08/2008

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

RIGHT NUMBER: 63-2893

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS

PRIORITY DATE: 02/11/1952

POINT OF DIVERSION:

T03N R01E S6 NWSE Within ADA County

T03N R01E S7 NESW Within ADA County

T03N R01E S7 NWSW Lot 3 Within ADA County

T03N R01E S7 NWSW Lot 3 Within ADA County

T03N R01E S8 SESW Within ADA County

T03N R01E S18 NWNW Lot 1 Within ADA County

T03N R01W S1 SWSE Within ADA County

T03N R01W S12 NENW Within ADA County

T03N R01W S12 SWSE Within ADA County

T03N R01W S12 SESE Within ADA County

~~The points of diversion for this right and Right Nos. 63-3252, 63-7105, 63-7978, 63-8331, 63-8332, 63-9849, 63-10105, & 63-32568 are also diverted through the ten points of diversion described in Right No. 63-32567.~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	0.780 CFS

PLACE OF USE:

Place of use is within the service area of the City of Meridian municipal water supply system as provided for under Idaho Law.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 3 at the Well Site #3 located in T03N, R01W, S12, SESE.

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

CERTIFICATE OF MAILING

I certify that on 9/29³⁰, 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:

CITY OF MERIDIAN
Represented by:
CHARLES L. HONSINGER
455 S. THIRD STREET
P.O. BOX 2773
BOISE, ID 83701-2773

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



Signature of person or attorney mailing form