



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

January 21, 2009

Christopher H. Meyer
Givens Pursley
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701-2720

Re: City of Nampa

Dear Chris:

Thank you for returning the signed SF5s. When I received them, I noticed that you had missed initialing the revised recommendations. To expedite getting the SF5s filed, I went ahead and obtained IDWR's concurrence and am returning the originals to you so that you can initial the revised recommendations contained within the SF5s and file the original SF5s with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4811.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

cc: Garrick Baxter

**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. 63-7954
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
_____	)	WATER RIGHT

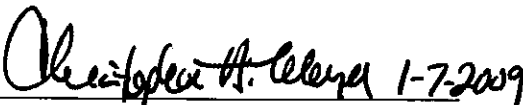
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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 as initially recommended. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

City of Nampa



Christopher H. Meyer Date
Attorney for Claimant/Objector

STANDARD FORM 5 – Water Right No. 63-7954

IDWR Concurrence:

Kay Walker 1/15/09
Kay Walker Date
Senior Water Resource Agent

ABt 1/12/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

SF5 Right No. 63-7954

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

RIGHT NUMBER: 63-7954

NAME AND ADDRESS: CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

SOURCE: ELIJAH DRAIN

TRIBUTARY: WILSON DRAIN

QUANTITY: 1.780 CFS
770.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/20/1974

POINT OF DIVERSION:

T03N R02W S21 NWSW Within CANYON County

This water right is part of the non-potable water delivery system for the City of Nampa.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.780 CFS 770.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R02W S21	SWNW	17.00	T03N R02W S21	SENW	18.00
T03N R02W S21	NESW	33.00	T03N R02W S21	NWSW	33.00
T03N R02W S21	SWSW	34.00	T03N R02W S21	SESW	36.00

171 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

SF5 Right No. 63-7954

CERTIFICATE OF MAILING

I certify that on _____, 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 NAMPA
Represented by:
CHRISTOPHER H. MEYER
601 W. BANNOCK STREET
P.O. BOX 2720
BOISE, ID 83701-2720

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

Signature of person or attorney mailing the form