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JAN 27 2009

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. 63-5257
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

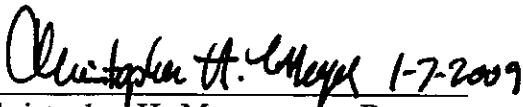
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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


Christopher H. Meyer Date
Attorney for Claimant/Objector

STANDARD FORM 5 – Water Right No. 63-5257

IDWR Concurrence:

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

G. Baxter 1/12/09
Garick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

SF5 Right No. 63-5257

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

RIGHT NUMBER: 63-5257

NAME AND ADDRESS:

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.300 CFS

PRIORITY DATE:

01/01/1905

POINT OF DIVERSION:

T03N R02W S15 NESW
Within CANYON County

T03N R02W S15 SWSE
Within CANYON County

T03N R02W S17 NWSE
Within CANYON County

T03N R02W S20 NESE
Within CANYON County

T03N R02W S21 SENE
Within CANYON County

T03N R02W S21 NESE
Within CANYON County

T03N R02W S21 NESE
Within CANYON County

T03N R02W S22 SENE
Within CANYON County

T03N R02W S22 NENW
Within CANYON County

T03N R02W S22 SWSW
Within CANYON County

T03N R02W S22 SESW
Within CANYON County

T03N R02W S22 NESE
Within CANYON County

T03N R02W S22 NESE
Within CANYON County

T03N R02W S23 SNNW
Within CANYON County

T03N R02W S23 SENW
Within CANYON County

T03N R02W S23 NWSW
Within CANYON County

T03N R02W S23 SWSW
Within CANYON County

T03N R02W S23 SWSW
Within CANYON County

T03N R02W S23 SWSE
Within CANYON County

*AB
kw
all*

SF5 Right No. 63-5257

SF5 Right No. 63-5257

T03N R02W S26 NWSW
Within CANYON County

T03N R02W S27 SWNE
Within CANYON County

T03N R02W S27 SENE
Within CANYON County

T03N R02W S27 NENW
Within CANYON County

T03N R02W S27 SWNW
Within CANYON County

T03N R02W S27 SENW
Within CANYON County

T03N R02W S28 NWNE
Within CANYON County

T03N R02W S34 NENE
Within CANYON County

T03N R02W S34 NWNE
Within CANYON County

T03N R02W S34 NWNW
Within CANYON County

AB
kw
all

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

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MUNICIPAL

01/01 12/31

0.300 CFS

PLACE OF USE:

Place of use is within the service area of the City of Nampa 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 at the 13th Ave. North Well, located in T3N, R2W, Sec. 22, NESE.

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.

~~Recommended as Right No. 63-2787.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~Recommended as Right No. 63-2787. This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.~~

CERTIFICATE OF MAILING

I certify that on 1-26-2009, ~~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:

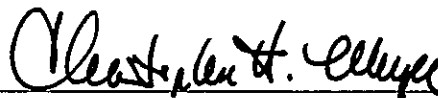
1. Original to:

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