



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

August 10, 2009

Lamar Roche
23019 Hwy. 20 – 26
Parma, ID 83660

RE: SRBA Subcase Nos. 63-2462 & 63-30175

Dear Mr. Roche:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to settle water right disputes. Please review the documents, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original documents to me in the self-addressed stamped envelope that I have enclosed. I will file the original SF5 with the SRBA Court and provide you with copies.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

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

Ray Williams
Paralegal

Enclosures

**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. 63-2462
	)	
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:



Lamar Roche Date

DWR Concurrence:

<u>Kelly K. Christensen</u>	<u>7-15-09</u>	<u>Nick Spencer</u>	<u>8-7-09</u>
Kelly Christensen	Date	Nicholas B. Spencer	Date
Senior Water Resource Agent		Deputy Attorney General	
		Attorney for IDWR	

07/07/2009

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

INITIAL
HERE

RIGHT NUMBER: 63-2462

NAME AND ADDRESS: LAMAR ROCHE
23019 HWY 20-26
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: -42 0.920 CFS

PRIORITY DATE: 01/20/1945

POINT OF
DIVERSION:

T05N R04W S30 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

-42 0.920 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R04W S30 SWSW 0.70 T05N R04W S30 Lot 8 SWSW 3.30

T05N R04W S31 Lot 8 NWNW 1.40 T05N R05W S25 SESE 11.00

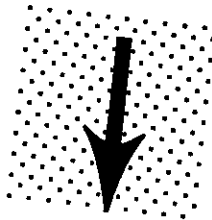
T05N R05W S25 Lot 10 SESE 4.50

20.9 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



KKC NBS

CERTIFICATE OF MAILING

I certify that on _____, 2009, 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:

LORI GRAVES
SPF WATER ENGINEERING
300 E. MALLARD, STE. 350
BOISE, ID 83706

LAMAR ROCHE
23019 HWY. 20/26
PARMA, ID 83660

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

Signature of person or attorney

**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. 63-30175
	)	
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:



Lamar Roche	Date
-------------	------

DWR Concurrence:

Kelly Christensen 7-15-09
Kelly Christensen Date
Senior Water Resource Agent

Nicholas B. Spencer 7-14-09
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

07/07/2009

INITIAL
HERE

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

RIGHT NUMBER: 63-30175

NAME AND ADDRESS: LAMAR ROCHE
23019 HWY 20-26
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: ~~2-350~~ 4.250 CFS

PRIORITY DATE: 03/01/1895

POINT OF
DIVERSION:

T05N R04W S30 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	~~2-350~~ 4.250 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T05N R04W S30 Lot 6 SWNW	5.80	T05N R04W S30 Lot 3 NESW 31.00
	T05N R04W S30 Lot 5 NWSW	32.00	T05N R04W S30 SWSW 3.80
	T05N R04W S30 Lot 4 SWSW	20.00	T05N R04W S30 SESW 2.40
	T05N R04W S30 Lot 9 SESW	22.00	T05N R04W S31 NENW 0.10
	T05N R04W S31 NWNW	0.30	

117.4 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on _____, 2009, 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
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LORI GRAVES
SPF WATER ENGINEERING
300 E. MALLARD, STE. 350
BOISE, ID 83706

LAMAR ROCHE
23019 HWY. 20/26
PARMA, ID 83660

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

Signature of person or attorney