



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

October 13, 2010

Dana L. Hofstetter
608 W. Franklin Street
Boise, ID 83702

RE: SRBA Subcase No. 63-7674A (Hometown West Meadows, LLC)

Dear Dana:

I am enclosing an SF5 for the above-referenced subcase. Please review the document, and if it is acceptable, please have the SF5 signed on the indicated signature line and the revised recommendation initialed. After signature, please file the SF5 with the SRBA Court and provide the Department with a copy.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

**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. 63-7674A
	)	
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:
Hometown West Meadows, LLC

By: _____ Date
Title:

STANDARD FORM 5 – 63-7674A

IDWR Concurrency:


Jan Shurte
Water Rights Supervisor

Andrea L. Courtney 10/13/10
Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-7674A

NAME AND ADDRESS: HOMETOWN WEST MEADOWS, LLC
150 N WACKER DRIVE, SUITE 2800
CHICAGO IL 60606

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.230 CFS
229.500 AFY

The annual volume for irrigation and commercial uses under this right is limited to 229.50 AFY . Use of water for fire protection is not included in this limitation.

PRIORITY DATE: 10/04/1972

POINT OF DIVERSION:

T03N R01E S10 SESENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
~~DOMESTIC~~ ~~COMMERCIAL~~	01/01 12/31	1.230 CFS 216.00 AFY
IRRIGATION	05/15 11/15	0.060 CFS 13.50 AFY
FIRE PROTECTION	01/01 12/31	1.070 CFS

Domestic use is for internal use and up to one-half acre of irrigation for each of 180 mobile home units.

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 ~~AND MAY CONTINUE TO AS LATE AS NOVEMBER 15~~, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in ADA County

T03N R01E S10 SENE 3.00

DOMESTIC in ADA County ~~COMMERCIAL in ADA County~~

T03N R01E S10 SENE

FIRE PROTECTION in ADA County

T03N R01E S10 SENE

3 ACRES TOTAL

The total acres described in the place of use are for irrigation of 3 acres of common area within the mobile home park and does not include the irrigation for each of the homes included under the domestic use. Water for fire protection can be used anywhere in the Hometown West Meadows mobile home park to fight or repel an existing fire or for maintenance of the fire protection system.

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 COD

~~Commercial use is for 180 mobile home units.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

~~Use of this right is combined with water from Nampa Meridian Irrigation District.~~

Handwritten signature and initials, possibly 'J' and 'AZ', in the right margin.

CERTIFICATE OF MAILING

I certify that on _____, 2010, 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:

HOMETOWN WEST MEADOWS, LLC
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702

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

Signature of person or attorney mailing the form