



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

December 10, 2010

Carl J. Withroe
950 W. Bannock, Suite 520
Boise, ID 83702

RE: SRBA Subcase Nos. 63-4117 & 63-20246 (City of Greenleaf)

Dear Carl:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. Please review the documents, and if they are acceptable, please sign on the indicated signature lines and initial the recommendations. Please return the original SF5s to me after signature, and I will obtain the remaining signatures and file them with the SRBA Court.

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". The signature is stylized with a large, looping "R" and a cursive "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. 63-4117
	)	
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 Greenleaf

Carl J. Withroe Date
Attorney for Claimant/Objector

IDWR Concurrence:

Jan Shurte Date
Water Rights Supervisor

Andrea L. Courtney 12/10/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-4117

NAME AND ADDRESS: CITY OF GREENLEAF
C/O CITY CLERK
20523 N WHITTIER DR
GREENLEAF ID 83626

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS

PRIORITY DATE: ~~06/01/1938~~ 01/01/1916

POINT OF DIVERSION:

T04N R04W S21 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

0.100 CFS

PLACE OF USE:

AK

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

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 _____, 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:

CITY OF GREENLEAF
Represented by:
CARL J. WITHROE
950 W. BANNOCK STE. 520
BOISE, ID 83702

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

Signature of person or attorney mailing the form

**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. 63-20246
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
_____	)	WATER RIGHT

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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, which reflects no changes to the original Director's Report. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

City of Greenleaf

Carl J. Withroe Date
Attorney for Claimant/Objector

IDWR Concurrence:

Jan Shurte Date
Water Rights Supervisor

Andrea L. Courtney 12/10/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

ATC

RIGHT NUMBER: 63-20246

NAME AND ADDRESS: CITY OF GREENLEAF
C/O CITY CLERK
20523 N. WHITTIER DR.
GREENLEAF, ID 83626

DISALLOWED
No lawful appropriation shown.

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P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form