

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. 63-16517
	)	
Case 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 a 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(s):

DEAN A REPP TRUSTEE

Dean A Repp
12-12-06

Date

Date

OBJECTOR:

EDWARDS FAMILY LLC

Garnette Monroe 1/5/07
Authorized representative Date

David H. Pfeiffer 1/5/07
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Vicki Unsie 1-18-07
Water Resource Agent Date

Susan Hamlin Nygard 1-18-07
Deputy Attorney General Date

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

RIGHT NUMBER: 63-16517

NAME & ADDRESS: DEAN A REPP TRUSTEE
3500 COLLISTER DR
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/15/1958

POINT OF DIVERSION: T04N R02E S29 SESW Within ADA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.020 CFS
		0.03 AFY
DOMESTIC	1/01 12/31	0.060 CFS

Domestic use is for 2 homes.

Commercial use is for a welding shop

PLACE OF USE: COMMERCIAL Within ADA County
T04N R02E S29 SESW

DOMESTIC Within ADA County
T04N R02E S29 SESW

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. S0629346613

PROPERTY IS ALSO KNOWN AS 3422 N COLLISTER, BOISE, ID

CERTIFICATE OF MAILING

I certify that on January 23rd, 2007, 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:

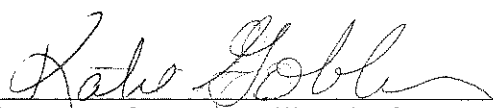
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Dean A Repp Trustee
3500 Collister Dr
Boise, ID 83703

Dana Hofstetter
Hofstetter Law Office LLC
608 W Franklin St
Boise, ID 83702

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form