

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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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. 63-17621
Case 39576) STANDARD FORM 5
STIPULATED ELEMENTS OF A
WATER RIGHT

RECEIVED
MAR 20 2007
DEPARTMENT OF
WATER RESOURCES

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):
GLEN WERSCH

Glen Wersch 2/3/2007
Date

Date

OBJECTOR:
EDWARDS FAMILY LLC

Yvette Monnie 2/5/07
Authorized representative Date

Dana Helms 2/5/07
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Water Resource Agent Date

Nick Spencer 3-13-07
Nick Spencer Date
Deputy Attorney General

RECEIVED

FEB 13 2007

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CLAIMANT(s):

GLEN WERSCH

Glen Wersch 2/3/2007
Date

Date

OBJECTOR:

EDWARDS FAMILY LLC

Garnette Monroe 2/5/07
Authorized representative Date

Anna Helvander 2/5/07
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Greg Maselli 3/14/07
Water Resource Agent Date

Nick Spencer 3-13-07
Deputy Attorney General Date

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

RIGHT NUMBER: 63-17621

NAME & ADDRESS: GLEN WERSCH
PO BOX ~~3413~~ 6112 NBS
BOISE ID ~~83703~~ 83707

SOURCE: GROUND WATER

TRIBUTARY:

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

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1943

POINT OF
DIVERSION: T04N R02E S29 NESE Within ADA County
T04N R02E S29 NESE Within ADA County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home and 1 garage apartment.

PLACE OF USE: DOMESTIC Within ADA County
T04N R02E S29 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

PARCEL NO. R4541000022.

THE PROPERTY IS ALSO KNOWN AS 3519 N 36TH ST, BOISE, ID.


Glen Wersch
2/3/2007

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

RIGHT NUMBER: 63-17621

NAME & ADDRESS: GLEN WERSCH
PO BOX ~~3443~~ 6112 NBS
BOISE ID ~~83703~~ 83707

SOURCE: GROUND WATER

TRIBUTARY:

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

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1943

POINT OF
DIVERSION: T04N R02E S29 NESE Within ADA County
T04N R02E S29 NESE Within ADA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home and 1 garage apartment.

PLACE OF USE: DOMESTIC Within ADA County
T04N R02E S29 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

PARCEL NO R4541000022.

THE PROPERTY IS ALSO KNOWN AS 3519 N 36TH ST, BOISE, ID

SF5
Right No. 63-17621

Glen Wersch
Glen Wersch
2/3/2007

CERTIFICATE OF MAILING

I certify that on March 15, 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:

Glen Wersch
PO Box 6112
Boise, ID 83707

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