

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 27 2010	
By _____	Clerk
_____	Deputy Clerk

**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. 63-16
	)	
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:

Mary & Rose Ryan

OBJECTOR:

Edwards Family, LLC

Charles L. Honsinger 09/24/10

 Charles L. Honsinger Date
 Attorney for Claimant/Objector

By: _____ Date _____
 Title: _____

IDWR Concurrence:

<u>Vicky L. Music</u>	<u>9-24-10</u>	<u>Nicholas B. Spencer</u>	<u>9-24-10</u>
Vicky L. Music	Date	Nicholas B. Spencer	Date
Senior Water Resource Agent		Deputy Attorney General	
		Attorney for IDWR	

09/24/2010

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

RIGHT NUMBER: 63-16

NAME AND ADDRESS: MARY RYAN
4504 FOOTHILL DR
BOISE ID 83703

ROSE RYAN
4504 FOOTHILL DR
BOISE ID 83703

VLM
NBS
C.2.X.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
11.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/24/1927

POINT OF
DIVERSION:

T04N R02E S29 SENENW Within ADA County

Source is low temperature geothermal water.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.050 CFS 11.40 AFY
DOMESTIC USE IS FOR INTERNAL HEATING AND EXTERNAL LAWN & GARDEN SPRINKLING FOR 1 HOME.		

PLACE OF USE: DOMESTIC in ADA County

T04N R02E S29 NENW

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 right shall be placed under the regulation of the watermaster of water
district 63-S. The SRBA Court did not determine administrative matter relating
to the distribution and delivery of water in the Water District 63-S. Water users
may raise these matters directly with IDWR.

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.

This water right is subject to the terms of a private Agreement dated
July 21, 2010, recorded at the Ada County Recorder's Office on Sept. 24, 2010
as Instrument No. 110089449

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER TEMPERATURE MEASURED AT 118 DEGREES F. FROM POINT OF DIVERSION IN THE
SENEENW, T04N, R02E, S29.

SOURCE The point of diversion is also known as the Ryan Well.

PARCEL NO. S0629212400

VLM
NBS
C.2.7X.

CERTIFICATE OF MAILING

I certify that on Sept. 27, 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

via hand-delivery

2. Copies to:

MARY RYAN
ROSE RYAN
Represented by:
CHARLES L. HONSINGER
455 S. THIRD STREET
P.O. BOX 2773
BOISE, ID 83701-2773

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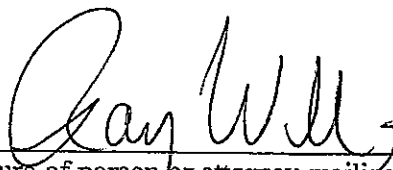
EDWARDS FAMILY, LLC
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702

~~EDWARDS FAMILY, LLC~~
~~Represented by:~~
~~DEBRA K. ELLERS~~
~~P.O. BOX 1930~~
~~MCCALL, ID 83638~~

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

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Signature of person or attorney mailing the form