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SEP 21 2007

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. <u>74-00325J</u>
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 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 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.

CLAIMANTS:

E. Dan French
T. Eileen French
Paul E. Fisher, Jr.
Wilma C. Fisher

<u>E. Dan French</u>	<u>9-11-07</u>
E. Dan French	Date
<u>T. Eileen French</u>	<u>9-11-07</u>
T. Eileen French	Date
<u>Paul E. Fisher</u>	<u>9-11-07</u>
Paul E. Fisher	Date
<u>Wilma C. Fisher</u>	<u>9-11-07</u>
Wilma C. Fisher	Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

<u>Larry A. Brown</u>	<u>9/12/2007</u>
Larry A. Brown	Date
Attorney, U.S. Department of Justice Environment and Natural Resources Div.	

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SEP 13 2007

9:00 A.M.

IDWR CONCURRENCE:

Ernest Carlsen 3-23-07
Ernest Carlsen Date
Water Resource Program Manager

IDWR CONCURRENCE:

C. M. Bromley 3/22/07
Christopher M. Bromley Date
Deputy Attorney General

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SEP 13 2007

9:00 A.M.

01/19/2006

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

RIGHT NUMBER: 74-1253
NAME AND ADDRESS: T EILEEN FRENCH
318 HWY 26
SALMON ID 83467

T. E. F.

SMC

E DAN FRENCH
RT 1 BOX 94
SALMON ID 83467

E.D.F.

CB
MB

PAUL E FISHER
12 FISHER LN
SALMON ID 83467

**10" PF*

JE

WILMA C FISHER
12 FISHER LN
SALMON ID 83467

WCF

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.620 CFS

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

PRIORITY DATE: 04/01/1869

POINT OF
DIVERSION: T21N R22E S30 NWSEW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.000 CFS
IRRIGATION	3/15 11/15	2.620 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S15	SWNE	10.00	T21N R22E S15	SENE	17.00
T21N R22E S15	NESW	2.00	T21N R22E S15	NESR	25.00
T21N R22E S15	NWSE	23.00	T21N R22E S15	SESE	7.00

STOCKWATER same as IRRIGATION

85 ACRES TOTAL

This right authorizes the irrigation of 86.9 total acres.

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

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 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

CERTIFICATE OF MAILING

I certify that on Sept. 17, 2007 mailed the original and copies of this form, including all attachments, 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. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

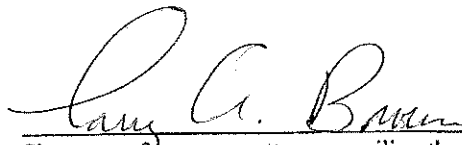
3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

E. Dan French
Rt 1 Box 94
Salmon, Idaho 83467

Paul E. & Wilma C. Fisher
12 Fisher Lane
Salmon, Idaho 83467

T. Eileen French
218 Hwy 28
Salmon, Idaho 83467


Signature of person or attorney mailing the form