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DEPARTMENT OF
WATER RESOURCES

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IDWR/North

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JUN 10 2008

IDWR/North

**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

Case No. 39576

) Subcase No. 75-14521

) This water right is a split from
) water right no. 75-10027

) 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

William Bernt

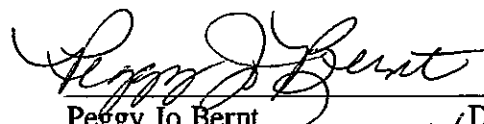
CLAIMANT:

Peggy Jo Bernt



William Bernt
Pro Se

Date

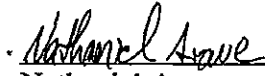


Peggy Jo Bernt
Pro Se

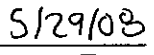
Date

6/19/08

IDWR Concurrence:

Nathaniel Arave Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

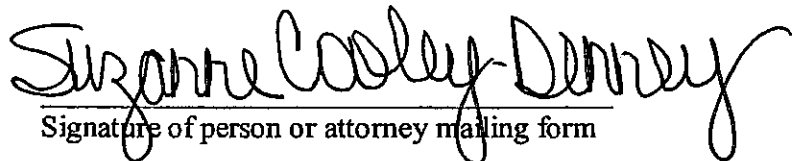
I certify that on July 3, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WILLIAM BERNT
PEGGY JO BERNT
P.O. BOX 425
SALMON, ID 83467-0425


Signature of person or attorney mailing form

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

RIGHT NUMBER: 75-14521
NAME AND ADDRESS: WILLIAM C BERNT
PO BOX 425
SALMON ID 83467

PEGGY JO BERNT
PO BOX 425
SALMON ID 83467

Handwritten:
12B
NLA
JB

SOURCE: NORTH FORK TOWER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.220 CFS

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

PRIORITY DATE: 12/10/1909

POINT OF
DIVERSION: T23N R22E S4 NESW Within LEMHI County
T23N R22E S4 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.220 CFS

PLACE OF USE: IRRIGATION in LEMHI County
T23N R22E S04 NESW 11.00
STOCKWATER in LEMHI County
T23N R22E S04 NESW

11 ACRES TOTAL

Right Nos. 75-14520 and 75-14521 are limited to the irrigation of a combined total of 11 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use 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

This right is a split from former right 75-10027 .