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DEPARTMENT OF
WATER RESOURCES

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IDWR/North

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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. 75-14522
	)	This water right is a split from
	)	water right no. 75-10007
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

Bill Bernt

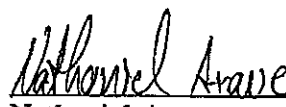
CLAIMANT:

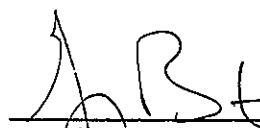
Peggy Jo Bernt

Bill Bernt 19 June 08
Bill Bernt Date
Pro Se

Peggy Jo Bernt
Peggy Jo Bernt Date
Pro Se 6/19/08

IDWR Concurrence:

 5/28/08
Nathaniel Arave Date
Senior Water Resource Agent

 5/29/08
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

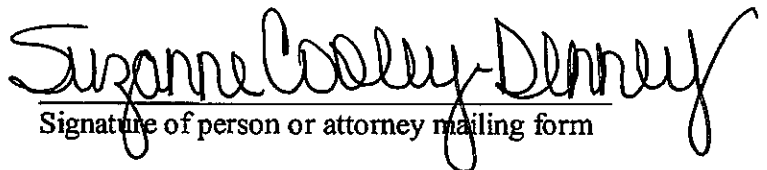
I certify that on July 3, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

BILL 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: 75-14522

NAME AND ADDRESS: BILL BERNT
PO BOX 425
SALMON ID 83467-0425

PEGGY JO BERNT
PO BOX 425
SALMON ID 83467

SOURCE: NORTH FORK TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/29/1899

POINT OF

DIVERSION: T23N R22E S4 SWNESW Within LEMHI County
T23N R22E S4 NWSESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS
PLACE OF USE: <u>IRRIGATION in LEMHI County</u>		
T23N R22E S04	NESW 0.40	T23N R22E S04
		SESW 4.50

4.9 ACRES TOTAL

Right Nos. 75-14522 and 75-14523 are limited to the irrigation of a combined total of 4.9 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 75-10007 .