

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2009 JUN 19 AM 10 00

## STIPULATED ELEMENTS OF A WATER RIGHT

**RESPONDENT:**

IGWA, Inc.

~~\_\_\_\_\_~~  
Randall C. Budge, Attorney

~~\_\_\_\_\_~~  
Date

**IDWR Concurrence:**

*for* ~~\_\_\_\_\_~~  
Donald V. Shaif  
Adjudication Bureau Chief

~~\_\_\_\_\_~~  
6/15/09  
Date

~~\_\_\_\_\_~~  
Garrick Baxter  
Deputy Attorney General

~~\_\_\_\_\_~~  
6/16/09  
Date

**CERTIFICATE OF MAILING**

I certify that on June 18, 2009, 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

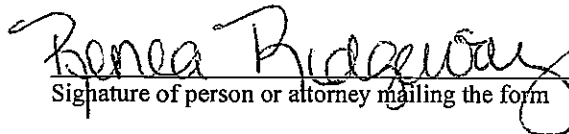
2. Copies to:

TWIN FALLS CANAL COMPANY  
Represented by:  
BARKER, ROSHOLT & SIMPSON LLP  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485

~~IGWA INC  
Represented by:  
RANDALL C BUDGE  
201 E CENTER, STE A2  
PO BOX 1391  
POCATELLO, ID 83204-1391~~

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

AMY JO BERNEY  
VIRGIL BERNEY  
4711 RIVER RD  
BUHL, ID 83316

  
Signature of person or attorney mailing the form

05/04/2009

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

RIGHT NUMBER: 47-7394

NAME AND ADDRESS: VIRGIL BERNEY  
4711 RIVER RD

BUHL ID 83316

AMY JO BERNEY  
4711 RIVER RD

BUHL ID 83316

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.030 CFS  
4.00 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 47-7313 SHALL PROVIDE  
NO MORE THAN .03 CFS PER ACRE NOR MORE THAN 4 AFA PER ACRE  
FOR IRRIGATION PURPOSES ON THE DESCRIBED PLACE OF USE.

PRIORITY DATE: 06/20/1977

POINT OF  
DIVERSION:

T09S R14E S4 NWNESEW Lot 7 Within TWIN FALLS County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.030 CFS  
4.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R14E S04 Lot 7 NESW 1.00

1 ACRES TOTAL

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 source of this water right is waste water. The wasting of water  
may be discontinued at any time.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 8, BLK 3, OREGON TRAIL  
SUBDIVISION.