

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT - 9 2009

By _____

**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. 75-4494A
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

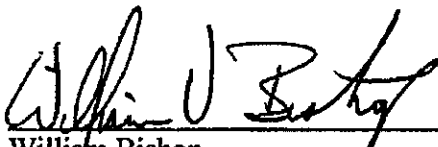
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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
William Bishop

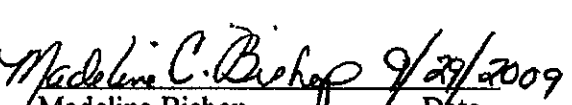
CLAIMANT
Madeline Bishop



William Bishop
Pro Se

9/29/2009

Date



Madeline Bishop
Pro Se

9/29/2009

Date

IDWR Concurrence:

Monica Van Bussum 10/16/2009
Monica Van Bussum Date
Senior Water Resource Agent

Garrick L. Baxter 10/11/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

07/23/2009

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

RIGHT NUMBER: 75-4494A

NAME AND ADDRESS: MADELINE CAROL BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK ID 83466

WILLIAM VERNON BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK ID 83466

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: ~~0.400~~ 0.260 CFS

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

Right Nos. 75-4494A and 75-4496A are limited to a total combined diversion rate of 0.39 cfs.

~~Right Nos. 75-4494A and 75-4496A are limited to a total combined diversion rate of 0.02 cfs per acre.~~

PRIORITY DATE: 04/01/1908

POINT OF
DIVERSION:

T25N R21E S28 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.020 CFS
IRRIGATION	04/01 10/31	~~0.380~~ 0.260 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T25N R21E S28	SWNW	4.50	T25N R21E S28	NWSW	8.00
T25N R21E S29	SENE	0.50			

STOCKWATER in LEMHI County

T25N R21E S28	SWNW	T25N R21E S28	NWSW
T25N R21E S29	SENE		

13 ACRES TOTAL

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

CERTIFICATE OF MAILING

I certify that on 10/7, 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

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

MADELINE CAROL BISHOP
WILLIAM VERNON BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK, ID 83466



Signature of person or attorney mailing form