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DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED **COPY**
2004 MAR 22 PM 4 44

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

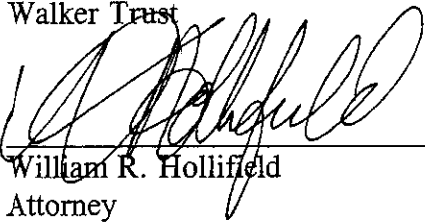
In Re SRBA	)	Subcase No. 34-13626
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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(s)/OBJECTOR(s):
Ned Reese Walker & Reva Waite
Walker Trust

	3/18/04
William R. Hollifield	Date
Attorney	

IDWR Concurrence:

Carter Fritschle 3-12-04
Carter Fritschle Date
Adjudication Supervisor

Chris Bromley 3/12/04
Chris Bromley Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on March 25, 2004, 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:

William R. Hollifield
P.O. Box 66
249 Third Avenue East
Twin Falls, ID 83303-0066

IDWR Repository
P.O. Box 83720
Boise, ID 83720

151 WRH
Signature of person or attorney mailing the form

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

RIGHT NUMBER: 34-13626

NAME AND ADDRESS: NED REESE WALKER & REVA WAITE WALKER TRUST
PO BOX 32
ARCO ID 83213

SOURCE: SPRING CREEK

TRIBUTARY: BIG LOST RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: ~~03/16/1923~~

05/01/1892

Pursuant to a call in times of scarcity, this right has a priority date of March 16, 1923.

POINT OF DIVERSION:

T04N R26E S14 NESW Begin of Stream Flow Within BUTTE County

T04N R26E S14 SESW End of Stream Flow Within BUTTE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within BUTTE County

T04N R26E S14

NESW

T04N R26E S14

SESW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use