

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11666
Date Received: 9/28/1988
Receipt No: E002123
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTERS READY MIX, INC 208-356-5491
Address: 342 W. 400 N.
REXBURG, ID 83440

2. Date of Priority: JUN 01, 1947

3. Source: GROUNDWATER Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	19	SE	SW	NW		MADISON

5. Description of diverting works:
1000 GALLON/MIN PUMP WITH SHORT SECTION OF PIPE TO WASH AGGREGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040	
RECREATION	04/01	10/31		175.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
WATER SPORTS AND WASHING OF AGGREGATE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	40E	19	SW	NW		INDUST	
			SW	NW		REC	

A22-11666

Page 1

Date: 09/28/88

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11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THIS POND COVERS 35 ACRES AND IS AN AVERAGE OF 5 FEET DEEP.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

A22-11666

Date Received

9-7-88

Receipt Number

E002123

RECEIVED

JUL 24 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 25 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Walters Ready Mix, Inc. Phone (208) 356-5491
Mailing Address 342 W. 400 N., Rexburg, Idaho Zip 83440
2. Date of Priority (Only one (1) per claim) June, 1947
3. Source of water supply (a) unnamed pond
which is tributary to (b) Teton River
4. a. Location of existing point of diversion is: Township 6N Range 40 E Section 19,
SE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Madison
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 1000 gallon/min. pump
with short section of pipe used to wash aggregate

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from 1-1 to 12-31 amount 0.04 or _____

For Recreational purposes from 4-1 to 10-31 amount _____ or 175

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 175 (acre feet)

most is

8. Total consumptive use claimed is unknown/ recharged acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Water sports and washing of aggregate.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	40E	19		R	R		R	R	IR	R									

Total number of acres irrigated -0-

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

14. Remarks:
This pond covers 35 acres and is an average of 5 feet deep.

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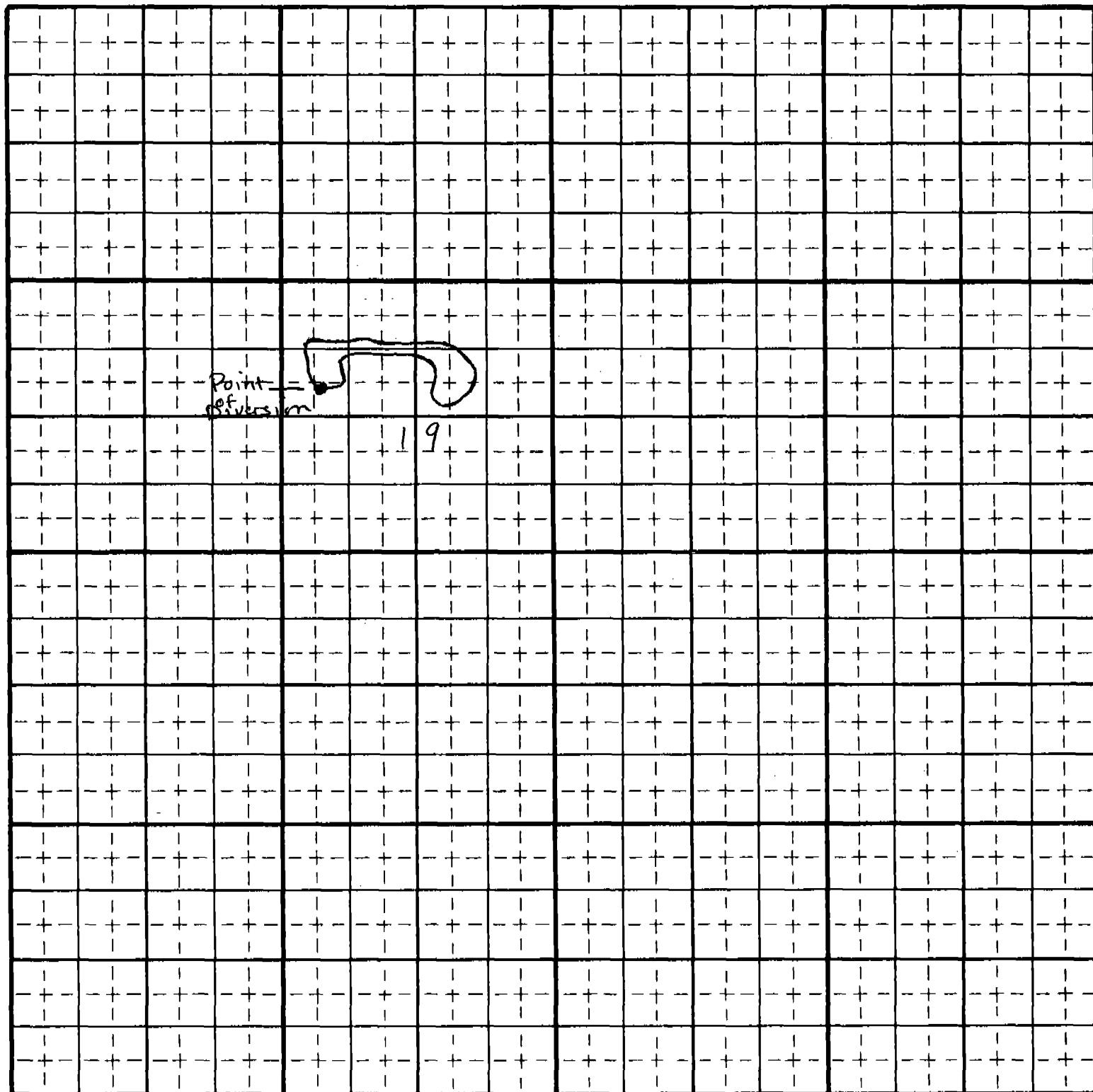
Last Name Walters Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Twp. 6 N., Rge. 40 E.B.M.



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Last Name Walters Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1 Affidavit of Merian Z. Walters

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President _____

of Walters Ready Mix, Inc. _____, that I have signed the foregoing
Organization

document in the space below as President of Walters Ready Mix, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent David Z. Walters
Title and Organization President of Walters Ready Mix, Inc. Date 7-18-88

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 19th day of July 19 88

SEAL

Notary Public for Idaho Debra A. Keller

Residing at Rexburg, Idaho

My Commission Expires 11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Jerry R. Rigby

Address 25 N. 2nd East, Rexburg, Idaho 83440

Date 7-18-88

Last Name Wilding Ident. Number _____

Copies White-State, Yellow-Claimant

AFFIDAVIT OF MERIAN Z. WALTERS

STATE OF IDAHO,)
 ss
County of Madison.)

MERIAN Z. WALTERS, being first duly sworn, states under oath as follows:

1. My name is Merian Z. Walters.
2. My address is 248 South 3rd East, Rexburg, Idaho 83440.
3. My age is 78.
4. My husband and I engaged in the business in 1947, which exists on the present location of Walters Ready Mix, Inc., a corporation which we organized.
5. Since 1947, we have continuously used waters from the sub-waters which developed from our excavations on our properties.

DATED This 19th day of July, 1988.

Merian Z. Walters
Merian Z. Walters

SUBSCRIBED AND SWORN To before me this 19th day of July, 1988.

Debra A. Keller
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-15-93

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Department of Water Resources
Eastern District Office

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