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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF IDAHO

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA

Case No. 39576

Subcase Nos.: 85-2059

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. 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):

Monty Wayne Walton

Monty Walton 10-4-05
Claimant Date

Claimant Date

OBJECTOR(s):

USD/Bureau of Reclamation

David W. Gehlert 10/7/05
David W. Gehlert Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

IDWR Concurrence:

Cathy Lutz 9-19-05
Adjudication Supervisor Date

Susan Hamlin Nygard 9/17/05
Deputy Attorney General, IDWR Date

CERTIFICATE OF MAILING

I certify that on 10-~~5~~, 2005, 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

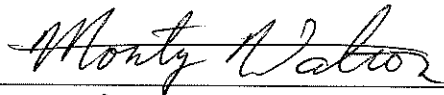
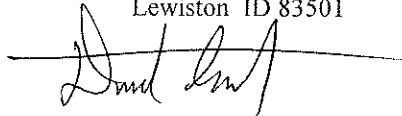
2. Copies to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, Idaho 83724

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Monty Wayne Walton
614 Lapwai Rd
Lewiston ID 83501



Signature of person or attorney filing the form

09/13/2005

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

RIGHT NUMBER: 85-2059

NAME AND ADDRESS: MONTY WAYNE WALTON
614 LAPWAI RD
LEWISTON ID 83501

SOURCE: LINDSAY CREEK

TRIBUTARY: CLEARWATER RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 08/27/1920

POINT OF
DIVERSION: T35N R05W S5 NENE Lot 1 Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	~~02/15 11/30~~ 3/15 11/15	0.120 CFS

CF
sh
DL
1-

PLACE OF USE: IRRIGATION Within NEZ PERCE County

T35N R05W S05 Lot 1 NENE 2.2 T36N R05W S32 SESE 2.5

STOCKWATER Within NEZ PERCE County

T35N R05W S05 Lot 1 NENE T36N R05W S32 SESE

4.7 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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