



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 18, 2009

Idaho Department of Water Resources
ATTN: Michael Holliday
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: 22-2186, 22-2195B & 22-13596 (Walters)

Dear Michael:

Enclosed for your signature are SF5s for the Walters claims. After you sign and initial the SF5s, please return the original documents to me and I will obtain the remaining signature and file the documents with the SRBA Court.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray", is written over a horizontal line.

Ray Williams
Paralegal

Enclosures

**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. 22-2186
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

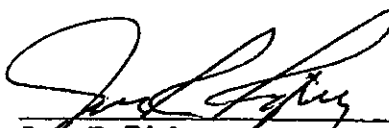
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

W. Jeffrey Walters
Mona Walters
Shawn J. Walters
Patrice Walters



Jerry R. Rigby 2-18-09
Attorney for Claimants/Objectors Date

DWR Concurrence:

Michael Holiday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-2186

NAME AND ADDRESS:

MONA WALTERS
PO BOX 156
NEWDALE ID 83436

PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436

SHAWN J WALTERS
PO BOX 156
NEWDALE ID 83436

W JEFFREY WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

3.570 CFS
1,089.000 AFY

~~2.330 CFS~~
~~983.500 AFY~~

~~Right Nos. 22-2186 and 22-13596 are limited to a total combined diversion rate of 2.33 cfs.~~

PRIORITY DATE: 10/17/1960

POINT OF DIVERSION:

T06N R41E S11 NWSESW
Within MADISON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/01 10/31

3.570 CFS 1,089.00 AFY
~~2.330 CFS~~ ~~983.50 AFY~~

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

PLACE OF USE: IRRIGATION within MADISON County

T06N R41E S11 SWNW 39.0

~~T06N R41E S11 SWNW 38.0~~

T06N R41E S11 SENW 39.0

~~T06N R41E S11 SENW 40.0~~

T06N R41E S11 NESW 40.0

T06N R41E S11 NWSW 39.0

~~T06N R41E S11 NWSW 38.0~~

T06N R41E S11 SWSW 37.0

T06N R41E S11 SESW 40.0

T06N R41E S11 NWSE 38.0

~~T06N R41E S11 NWSE 40.0~~

T06N R41E S11 SWSE 39.0

~~T06N R41E S11 SWSE 40.0~~

311 ACRES TOTAL

~~313 ACRES TOTAL~~

~~Right Nos. 22-2186 and 22-13596 are limited to the irrigation of a combined total of 313 acres in a single irrigation season.~~

~~This right is limited to the irrigation of 281 acres within the place of use described above in a single irrigation season.~~

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

~~Right No. 22-13596 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.~~

CERTIFICATE OF MAILING

I certify that on _____, 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:

MONA WALTERS
PATRICE WALTERS
SHAWN J. WALTERS
W. JEFFREY WALTERS

Represented by:
JERRY R. RIGBY
25 N. 2ND. E.
P.O. BOX 250
REXBURG, ID 83440-0250

MONA WALTERS
PATRICE WALTERS
SHAWN J. WALTERS
W. JEFFREY WALTERS
P.O. BOX 156
NEWDALE, ID 83436

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**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. 22-13596
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

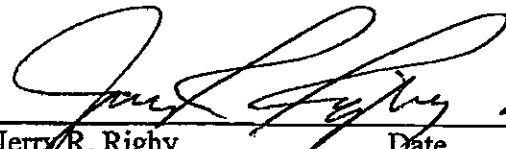
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The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that this water right should be disallowed. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

W. Jeffrey Walters
Mona Walters
Shawn J. Walters
Patrice Walters

 2-18-09

Jerry R. Rigby Date
Attorney for Claimants/Objectors

DWR Concurrence:

Michael Holiday	Date
Senior Water Resource Agent	

Garrick L. Baxter	Date
Deputy Attorney General	
Attorney for IDWR	

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
22-13596	SHAWN J WALTERS PO BOX 156 NEWDALE ID 83436	Disallowed	No beneficial use found.
	W JEFFREY WALTERS PO BOX 156 NEWDALE ID 83436		
	MONA WALTERS PO BOX 156 NEWDALE ID 83436		
	PATRICE WALTERS PO BOX 156 NEWDALE ID 83436		



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W. JEFFREY WALTERS
Represented by:
JERRY R. RIGBY
25 N. 2ND. E.
P.O. BOX 250
REXBURG, ID 83440-0250

MONA WALTERS
PATRICE WALTERS
SHAWN J. WALTERS
W. JEFFREY WALTERS
P.O. BOX 156
NEWDALE, ID 83436

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA	)	Subcase No. 22-2195B
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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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 this water right should be described as originally recommended by IDWR. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

W. Jeffrey Walters
Mona Walters
Shawn J. Walters
Patrice Walters

 2-18-09

Jerry R. Rigby Date
Attorney for Claimants/Objectors

DWR Concurrence:

Michael Holiday Date
Senior Water Resource Agent

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

12/20/2006

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

RIGHT NUMBER: 22-2195B
NAME AND ADDRESS: MONA WALTERS
W JEFFERY WALTERS
SHAWN WALTERS
PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.490 CFS
539.00 AFY

PRIORITY DATE: 12/11/1960

POINT OF

DIVERSION: T06N R41E S14 SESENW Within MADISON County
T06N R41E S22 SWSWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.490 CFS 539.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

Section	Direction	Acres	Section	Direction	Acres
T06N R41E S13	NENW	40.00	T06N R41E S13	NWNW	40.00
T06N R41E S13	SWNW	39.00	T06N R41E S13	SESW	39.00
T06N R41E S14	NENE	40.00	T06N R41E S14	NWNE	40.00
T06N R41E S14	SWNE	39.00	T06N R41E S14	SENE	39.00
T06N R41E S14	NENW	40.00	T06N R41E S14	NWNW	39.00
T06N R41E S14	SWNW	39.00	T06N R41E S14	SESW	40.00
T06N R41E S15	NESE	40.00	T06N R41E S15	NWSE	40.00
T06N R41E S15	SWSE	40.00	T06N R41E S15	SESE	40.00
T06N R41E S22	NENE	40.00	T06N R41E S22	NWNE	40.00
T06N R41E S22	SWNE	40.00	T06N R41E S22	SENE	40.00
T06N R41E S22	NESE	40.00	T06N R41E S22	NWSE	40.00
T06N R41E S22	SWSE	40.00	T06N R41E S22	SESE	40.00

954 ACRES TOTAL

This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 954 acres in a single irrigation season. Combined Right Nos.: 22-2195B, 22-7010, 22-7048, 22-7050, 22-13516.

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

Right Nos. 22-2195B, 22-7010, and 22-7050 are also diverted through point of diversion described above.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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