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MAR 05 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
with the District	
County of Twin Falls - State of Idaho	
MAR - 4 2009	
By _____	Clerk
_____	Deputy Clerk

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

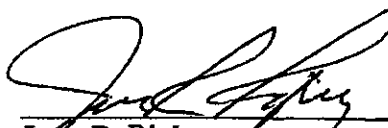
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

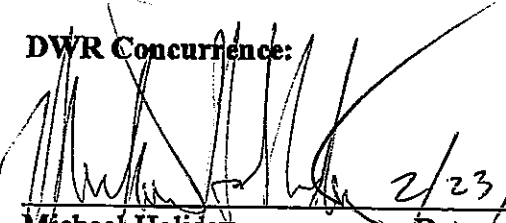
CLAIMANT(s)/OBJECTOR(s):

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

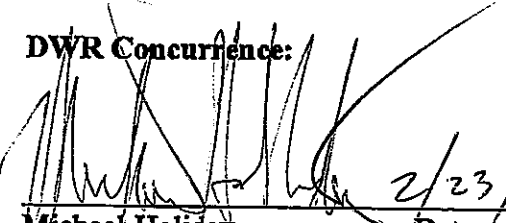
 2-18-09

Jerry R. Rigby Date
Attorney for Claimants/Objectors

DWR Concurrence:



Michael Holiday
Senior Water Resource Agent



Date

2/23/2009



Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR



Date

3/1/09

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

MWK

SOURCE:

Source:
GROUND WATER

Tributary:

JS

RR

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 March 3, 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

Deserae P. Kramer
Signature of person or attorney