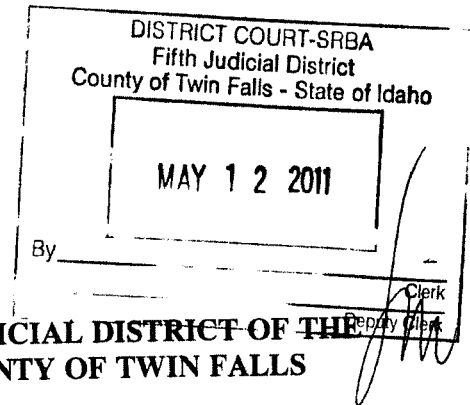




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 77-4219A
	)	(Split from 77-4219)
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

Tammie Walters 5-1-11
Tammie Walters Date

Kenneth Walters 5-1-11
Kenneth Walters Date

STANDARD FORM 5 – 77-4219A

IDWR Concurrence:

Carter Fritschle 5-9-11
Carter Fritschle Date
Manager, Adjudication Section

Chris Bromley 5/10/11
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on May 11, 2011, 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:

KENNETH R & TAMMIE WALTERS
KENNETH R WALTERS
TAMMIE WALTERS

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person mailing the form

02/28/2011

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

RIGHT NUMBER: 77-4219A

NAME AND ADDRESS: TAMMIE WALTERS
PO BOX 31
RIGGINS ID 83549

KENNETH R WALTERS
PO BOX 31
RIGGINS ID 83549

SOURCE: WEST FORK LAKE CREEK TRIBUTARY: LAKE CREEK
UNNAMED STREAM TRIBUTARY: WEST FORK LAKE CREEK

Points of injection into and points of redirection from an unnamed stream
and Shorts Creek.

QUANTITY: 2.480 CFS

Right Nos. 77-4089A and 77-4219A are limited to a total combined
diversion/redirection rate of 1.67 cfs at the point of diversion/point of
redirection from Shorts Creek in T24N, R01E, S23, NENE.

PRIORITY DATE: 09/01/1925

POINT OF
DIVERSION:

- * T23N R02E S6 NWSW Lot 6 Rediversion Within IDAHO County
- * T23N R02E S6 NWSW Lot 6 Injection Within IDAHO County
- ✓ T23N R02E S6 NWSW Lot 6 Within IDAHO County
- ✓ T23N R02E S7 NWSE Within IDAHO County
- ✓ T24N R01E S23 NENE Rediversion Within IDAHO County
- ✓ T24N R02E S31 NESW Injection Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	2.480 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S13	SWNW	7.90	T24N R01E S13	NWSW	3.40
T24N R01E S14	SWNE	0.70	T24N R01E S14	SENE	4.90
T24N R01E S14	NESE	21.60	T24N R01E S14	NWSE	13.90
T24N R01E S14	SWSE	4.20	T24N R01E S14 Lot 14 SWSE		1.60
T24N R01E S14	SESE	0.90	T24N R01E S14 Lot 13 SESE		0.70

59.8 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 77-4089A and 77-4219A are limited to the irrigation of a combined
total of 59.8 acres 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 - Beneficial Use

This right is a split of former right 77-4219.

KW
TW CA
CB