



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

August 17, 2011

Travis Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave.W., Suite 303
P.O. Box 485
Twin Falls, ID 83303-0485

RE: SRBA Subcase No. 22-11666 (Walters Ready Mix, Inc.)

Dear Travis:

Pursuant to our recent telephone conversation, I am returning the Standard Form 5 ("SF5") for the above-referenced subcase. Please initial the recommendation and file the SF5 with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

**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. 22-11666
	)	
	)	
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.

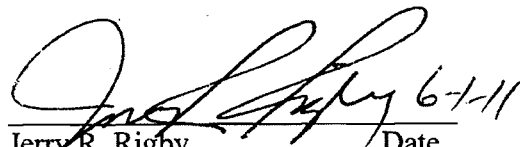
The parties and IDWR agree and stipulate that the elements of this water right should be described as per the attached, which reflects no changes to the original Director's Report. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

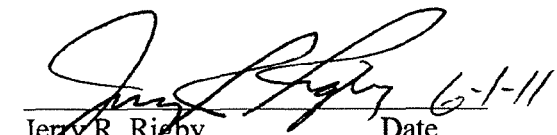
Walters Ready Mix, Inc.

OBJECTOR(s):

Freemont Madison Irrigation Dist.
Rexburg Irrigation Company



Jerry R. Rigby Date
Attorney for Claimant/Objector



Jerry R. Rigby Date
Attorney for Objectors

Respondents:

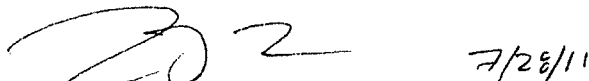
Bureau of Reclamation


David W. Gehlert Date 8/1/11
Attorney for Respondent

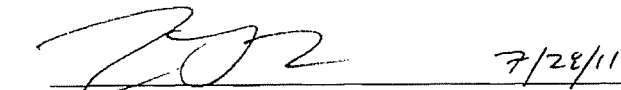
Idaho Ground Water Appropriators, Inc.


Randall C. Budge Date 6/28/11
Attorney for Respondent

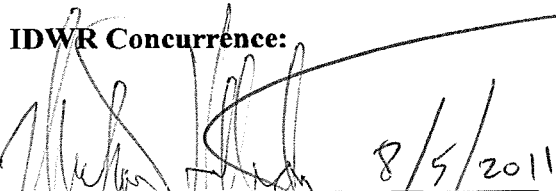
Twin Falls Canal Company
North Side Canal Company, LTD
Milner Irrigation District


Travis T. Thompson Date 7/28/11
Attorney for Respondents

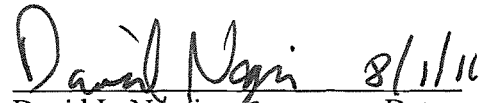
American Falls Reservoir District No. 2


C. Thomas Arkoosh Date 7/28/11
Attorney for Respondent

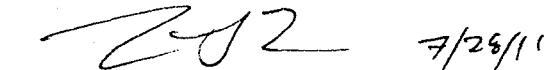
IDWR Concurrence:


Michael Holliday Date 8/5/2011
Senior Water Resource Agent

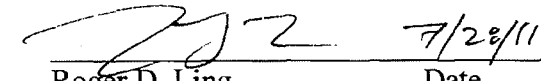
Bureau of Land Management

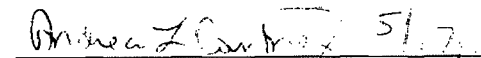

David L. Negri Date 8/1/11
Attorney for Respondent

Minidoka Irrigation District


W. Kent Fletcher Date 7/28/11
Attorney for Respondent

A & B Irrigation District
Burley Irrigation District


Roger D. Ling Date 7/28/11
Attorney for Respondents


Andrea L. Courtney Date 5/17/11
Deputy Attorney General
Attorney for IDWR

12/20/2006

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

RIGHT NUMBER: 22-11666

NAME AND ADDRESS: WALTERS READY MIX INC
342 W 4TH N
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY: TETON RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 06/01/1947

POINT OF

DIVERSION: T06N R40E S19 SWSWNE Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

1/01 12/31

0.040 CFS

RECREATION

4/01 10/31

175.00 AFY

PLACE OF USE: INDUSTRIAL in MADISON County

T06N R40E S19 SWNW

RECREATION in MADISON County

T06N R40E S19 SWNW

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

CERTIFICATE OF MAILING

I certify that on _____, 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:

AMERICAN FALLS RESERVOIR DIST. #2

Represented by:
C. THOMAS ARKOOSH
CAPITOL LAW GROUP, PLLC
301 MAIN ST.
P.O. BOX 32
GOODING, ID 83330

FREMONT MADISON IRRIGATION DISTRICT
REXBURG IRRIGATION CO.
WALTERS READY MIX, INC.

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

IGWA INC

Represented by:
RANDALL C. BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D. LING
615 H ST.
P.O. BOX 396
RUPERT, ID 83350-0396

NORTH SIDE CANAL CO., LTD
TWIN FALLS CANAL COMPANY
MILNDER IRRIGATION DISTRICT

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W. KENT FLETCHER
1200 OVERLAND AVE.
P.O. BOX 248
BURLEY, ID 83318

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

Signature of person or attorney