

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-11044

Date Received:

Receipt Nos:

Received By:

AMENDED  
NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Name of Claimant BARBARA S WALTERS  
WARREN J WALTERS  
PO BOX 127  
NEWDALE, ID 83436-0127  
(208)458-4328

Priority Date: 06/12/1903

Basis: Decreed/License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| Ground Water  |                  |
| Fall River    | Snake River      |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| HEATING               | 01/01       | 12/31     | 0.04 CFS              | 14.48 AFA     |
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              |               |
| Total Diversion       |             |           | 0.04 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER      NENW Lt 3   Sec. 03   Township 06N   Range 41E   MADISON County

Place(s) of use:

Place of Use Legal Description: HEATING MADISON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 41E          | 3              | 3          | NENW         |              |            |              |              |            |              |              |            |              |              |

Place of Use Legal Description: DOMESTIC MADISON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 41E          | 3              | 3          | NENW         |              |            |              |              |            |              |              |            |              |              |

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Enterprise Irrigation District irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1.B05 Water temperature measured at 83 degrees F.

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

2.C18 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.

3.N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

4.N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

5.X01 Domestic use is for 1 home.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
Jerry R. Rigby, Attorney for Claimant

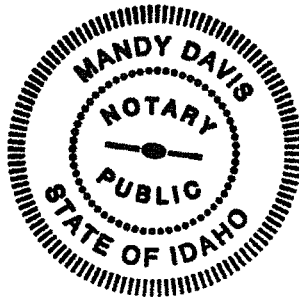
STATE OF IDAHO, )

ss.

County of Madison. )

On this 17<sup>th</sup> day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis  
Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011