

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED AN ERROR IN THE SRBA PARTIAL DECREE OF THE WATER RIGHT LISTED BELOW. IDWR REQUESTS THE COURT TO DETERMINE IF IT CAN CORRECT THE ERROR THROUGH ITS NORMAL NOTICE AND HEARING PROCESS, AND IF SO, TO CORRECT THE ERROR ACCORDINGLY. BY COPY OF THIS FORM IDWR IS ALSO NOTIFYING THE OWNER OF THE WATER RIGHT OF THE ERROR IN QUESTION.

WATER RIGHT NO.: 22-2222

NAME OF OWNER LISTED ON THE PARTIAL DECREE: Mona Walters, Shawn J Walters, Patrice Walters, and W Jeffrey Walters

CURRENT OWNER (IF DIFFERENT) _____

TODAY'S DATE: June 27, 2013

An error exists in the description of the following element(s) of the partial decree:

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and/or Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use** – Error involves combined use language only.

Should be:

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 **and 22-13570.**

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

The proposed amended director's report (attached), which was filed with the Court on January 5, 2012 (via correspondence), contained combined use language under the Place of Use element. The group of combined rights listed included right 22-13570. However the Special Master's Report and Recommendation (SMRR) issued 6/22/12, as well as the Partial Decree issued 7/31/12, leave right 22-13570 out of the combined rights list. Copies of the SMRR and partial decree are enclosed for the Court's convenience.

IDWR requests addition of water right 22-13570 to the combined use language of right 22-2222.

For more information about the error the Court and/or water right holder should contact the person identified below.

CONTACT PERSON: Meghan Carter
TELEPHONE NUMBER: 208-287-4810
E-MAIL ADDRESS: meghan.carter@idwr.idaho.gov
MAILING ADDRESS: IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

A corrected recommendation of the water right is attached.

CERTIFICATE OF SERVICE

I certify that on June 27, 2013, I caused to be served true and correct copies of this REQUEST FOR CORRECTION OF ERROR, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

3. Copy to the Owner:

Mona Walters, Shawn J Walters, Patrice Walters, &
W Jeffrey Walters
P.O. Box 156
Newdale, ID 83436

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 22-2222

NAME AND ADDRESS: MONA WALTERS
PO BOX 156
NEWDALE ID 83436

SHAWN J WALTERS
PO BOX 156
NEWDALE ID 83436

PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436

W JEFFREY WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.470 CFS
617.400 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/23/1962

POINT OF DIVERSION:

T07N R41E S36 SESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.470 CFS 617.40 AFY

PLACE OF USE: IRRIGATION in FREMONT County and MADISON County

T06N R41E S01 Lot 1 NENE	35.00	T06N R41E S01 Lot 2 NWNE	24.00
T06N R42E S06 Lot 4 NWNW	34.00	T07N R41E S36 NENE	39.00
T07N R41E S36 NWNE	39.00	T07N R41E S36 SWNE	39.00
T07N R41E S36 SENE	39.00	T07N R41E S36 NENW	39.00
T07N R41E S36 NWNW	39.00	T07N R41E S36 SWNW	39.00
T07N R41E S36 SENW	39.00	T07N R41E S36 NESW	34.00
T07N R41E S36 NWSW	30.00	T07N R41E S36 SESW	9.30
T07N R41E S36 NESE	39.00	T07N R41E S36 NWSE	39.00
T07N R41E S36 SWSE	38.00	T07N R41E S36 SESE	37.00
T07N R42E S31 Lot 3 NWSW	39.00	T07N R42E S31 Lot 4 SWSW	38.00

708.3 ACRES TOTAL

Proposed Correction to Partial Decree 22-2222

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and 22-13570.

This right is limited to the irrigation of 229 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.

The following rights are diverted through point of diversion described above: 22-2222, 22-2287, 22-11185, 22-13475.

Use of this right is combined with water from Canyon Creek Canal Co.

Right Nos. 22-11185 and 22-13475 are enlargements of this right pursuant to Section 42-1426, Idaho Code.

09/27/2011

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

RIGHT NUMBER: 22-2222

NAME AND ADDRESS: MONA WALTERS
PO BOX 156
NEWDALE ID 83436

SHAWN J WALTERS
PO BOX 156
NEWDALE ID 83436

PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436

W JEFFREY WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.470 CFS
617.40 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/23/1962

POINT OF
DIVERSION:

T07N R41E S36 SESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.470 CFS 617.40 AFY

PLACE OF USE: IRRIGATION in FREMONT County and MADISON County

T06N R41E S01 Lot 1 NENE	35.00	T06N R41E S01 Lot 2 NWNE	24.00
T06N R42E S06 Lot 4 NWNW	34.00	T07N R41E S36 NENE	39.00
T07N R41E S36 NWNE	39.00	T07N R41E S36 SWNE	39.00
T07N R41E S36 SENE	39.00	T07N R41E S36 NENW	39.00
T07N R41E S36 NWNW	39.00	T07N R41E S36 SWNW	39.00
T07N R41E S36 SENW	39.00	T07N R41E S36 NESW	34.00
T07N R41E S36 NWSW	30.00	T07N R41E S36 SESW	9.30
T07N R41E S36 NESE	39.00	T07N R41E S36 NWSE	39.00
T07N R41E S36 SWSE	38.00	T07N R41E S36 SESE	37.00
T07N R42E S31 Lot 3 NWSW	39.00	T07N R42E S31 Lot 4 SWSW	38.00

708.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of
Proposed Amended Director's Report

708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and 22-13570.

This right is limited to the irrigation of 229 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.

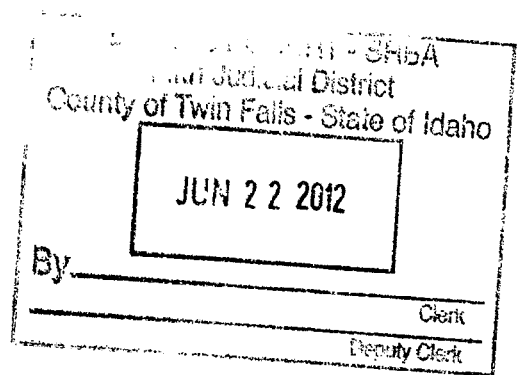
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through point of diversion described above: 22-2222, 22-2287, 22-11185, 22-13475.

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

Use of this right is combined with water from Canyon Creek Canal Co.

Right Nos. 22-11185 and 22-13475 are enlargements of this right pursuant to Section 42-1426, Idaho Code.



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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: 22-2222,
	)	22-2287, 22-11185 and 22-13475
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections and Responses were filed by various parties. A *Motion to File Amended Notice of Claim* was filed on August 19, 2010 by multiple claimants to assert a recovered water/recharge theory (hereafter "rec/rec"). That theory and the related *Amended Claims* were later withdrawn by the claimants in consolidated subcase 00-92020.

Subsequently, IDWR reviewed its *Director's Reports* for the rec/rec subcases to insure that it had included the elements from prior decrees, licenses and transfers. These subcases were identified by IDWR as some of the 60 subcases in Round Two which needed changes due to omission of elements from prior decrees, licenses, or transfers. ***Joint Order Setting Deadlines and Status Conference***. (Subcase 00-92020, January 6, 2012, Exhibit 4)

A Status Conference was held on December 7, 2011 in subcase 00-92020. At the hearing,

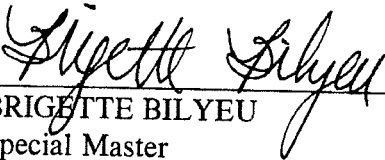
the parties agreed to resolve all *Objections* and *Responses* to 55 of the 60 subcases by oral *Stipulation* on the record.¹

The parties agreed that these subcases be recommended and decreed with the elements of the *Amended Director's Reports* previously sent to the parties by IDWR.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decrees*.

DATED: ~~May~~ ^{JUNE} 22, 2012.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

¹ The *Amended Director's Reports* for water right numbers 21-34, 21-60B, 22-673, 22-13165, and 22-13412 in Round 2 were held back due to an overlap issue. IDWR shared the proposed *Amended Directors' Reports* for these five subcases in Round 4 after the overlap issues were resolved.

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

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 22 2012

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-02222

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 1.47 CFS
617.40 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited
to a total combined diversion rate of 3.54 cfs and to a total
combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/23/1962

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.47 CFS 617.40 AFY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
T06N R41E S01 LOT 1	(NENE)35.0	LOT 2 (NWNE)24.0
R42E S06 LOT 4	(NWNW)34.0	
T07N R41E S36	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENE 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
R42E S31 LOT 3	(NWSW)39.0	LOT 4 (SWSW)38.0
708.3 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 708.3 acres in a single irrigation season.
Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475.
This right is limited to the irrigation of 229.0 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. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUN 22 2012

SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

FILED - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 22 2012

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-02287

NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 2.07 CFS
869.40 APY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited
to a total combined diversion rate of 3.54 cfs and to a total
combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.07 CFS
			869.40 APY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
	T06N R41E S01 LOT 1 (NENE)35.0	LOT 2 (NWNE)24.0
	R42E S06 LOT 4 (NWNW)34.0	
	T07N R41E S36	
	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENE 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
	R42E S31 LOT 3 (NWSW)39.0	LOT 4 (SWSW)38.0
	708.3 Acres Total	

This right is limited to the irrigation of 345 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 708.3 acres in a single irrigation season.
Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and
22-13570.

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. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUN 22 2012

Dianna Libbey
SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

JUN 22 2012

Clerk

25

100-443887-1

Bigello Silve
SPECIAL MASTER

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

SRBA
TWIN FALLS
County of Twin Falls - State of Idaho
JUN 22 2012
By _____ Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-13475

NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 0.15 CFS
63.70 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/01/1975

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.15 CFS 63.70 AFY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
	T06N R41E S01 LOT 1 (NENE)35.0	LOT 2 (NWNE)24.0
	R42E S06 LOT 4 (NWNW)34.0	
	T07N R41E S36	
	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENE 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
	R42E S31 LOT 3 (NWSW)39.0	LOT 4 (SWSW)38.0
	708.3 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and 22-13570.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-2222 and 22-2287 pursuant to Section 42-1426, Idaho Code.

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

RECOMMENDATION
JUN 22 2012
SPECIAL MASTER

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

County of Twin Falls - State of Idaho

JUN 22 2012

By

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)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

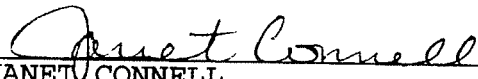
Water Right(s): 22-02222
22-02287 22-11185 22-13475

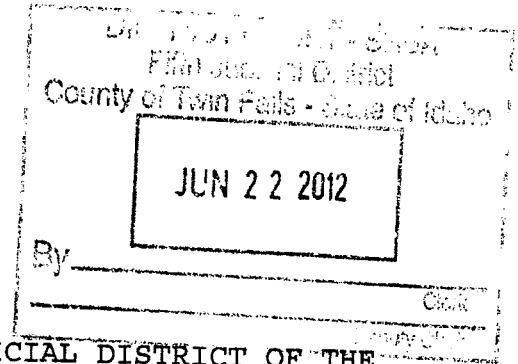
On June 22, 2012, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED June 22, 2012.


JANET CONNELL
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 22-02222
22-02287 22-11185 22-13475

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 22, 2012, with sufficient first-class postage prepaid to the following:

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

MILNER IRRIGATION DISTRICT
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
CAPITOL LAW GROUP, PLLC
301 MAIN ST
PO BOX 32
GOODING, ID 83330
Phone: 208-934-8872

CANYON CREEK CANAL CO
FREMONT MADISON IRRIGATION
MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

IGWA INC

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D LING
615 H ST
PO BOX 396
RUPERT, ID 83350-0396
Phone: 208-436-4717

NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

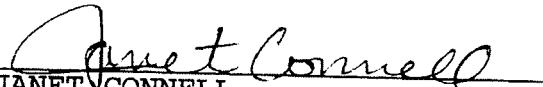
UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318
Phone: 208-678-3250

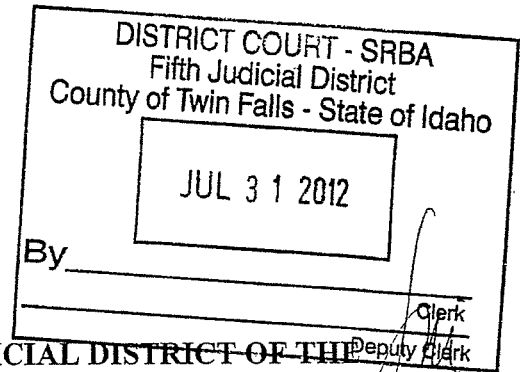
PATRICE WALTERS - Rep by Jerry Rigby
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436


JANET CONNELL
Deputy Clerk

RECEIVED

AUG 01 2012

DEPARTMENT OF
WATER RESOURCES



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

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 22-02222, 22-02287,
22-11185 and 22-13475
(Walters)

On June 22, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 31, 2012.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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)
Case No. 39576)
_____)

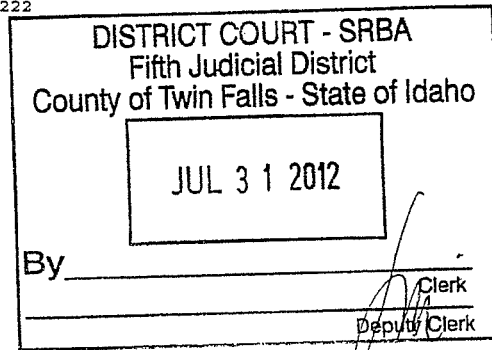
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-02222

NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 1.47 CFS
617.40 AFY



Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited
to a total combined diversion rate of 3.54 cfs and to a total
combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/23/1962

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	1.47 CFS
			617.40 AFY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
T06N R41E S01 LOT 1	(NENE) 35.0	LOT 2 (NWNE) 24.0
R42E S06 LOT 4	(NWNW) 34.0	
T07N R41E S36	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENW 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
R42E S31 LOT 3	(NWSW) 39.0	LOT 4 (SWSW) 38.0
708.3 Acres Total		

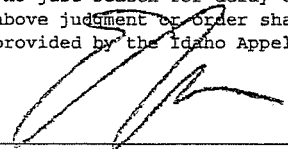
The rights listed below are limited to the irrigation of a
combined total of 708.3 acres in a single irrigation season.
Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475.
This right is limited to the irrigation of 229.0 acres within
the place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

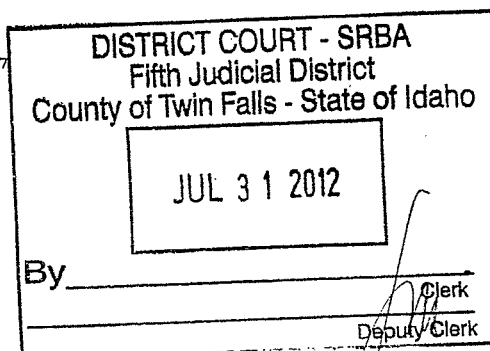


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-02287



NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 2.07 CFS
869.40 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited
to a total combined diversion rate of 3.54 cfs and to a total
combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 10-31	2.07 CFS 869.40 AFY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
T06N R41E S01 LOT 1	(NENE) 35.0	LOT 2 (NWNE) 24.0
R42E S06 LOT 4	(NWNW) 34.0	
T07N R41E S36	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENW 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
R42E S31 LOT 3	(NNSW) 39.0	LOT 4 (SWSW) 38.0
708.3 Acres Total		

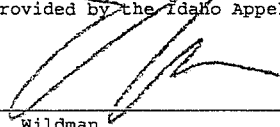
This right is limited to the irrigation of 345 acres within
the place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 708.3 acres in a single irrigation season.
Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and
22-13570.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-1183

Water Right 22-1183

SOURCE: GROUND WATER

QUANTITY: 0.68 CFS
289.00 AFY

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 31 2012

By _____ Clerk
_____ Deputy Clerk

PRIORITY DATE: 07/16/1969

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.68 CFS
		289.00 AFY

Irrigation		Within Fremont & Madison County	
T06N R41E S01 LOT 1	(NENE)35.0	LOT 2	(NWNE)24.0
R42E S06 LOT 4	(NWNW)34.0		
T07N R41E S36	NENE 39.0		NWNE 39.0
	SWNE 39.0		SENE 39.0
	NENW 39.0		NWNW 39.0
	SWNW 39.0		SENW 39.0
	NESW 34.0		NWSW 30.0
	SESW 9.3		NESE 39.0
	NWSE 39.0		SWSE 38.0
	SESE 37.0		
R42E S31 LOT 3	(NWSW)39.0	LOT 4	(SWSW)38.0
708.3 Acres Total			

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

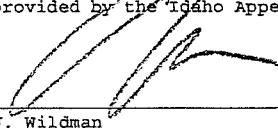
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

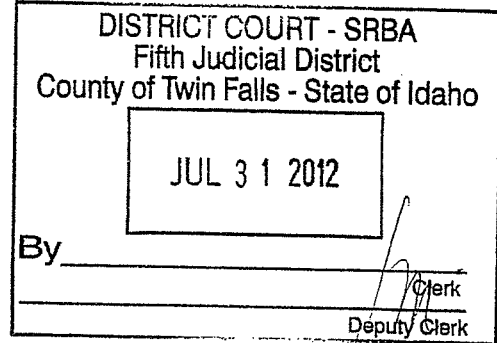
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-13475

NAME AND ADDRESS: MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 0.15 CFS
63.70 AFY



Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 04/01/1975

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T07N R41E S36 SESE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.15 CFS 63.70 AFY

PLACE OF USE:	Irrigation	Within Fremont & Madison County
T06N R41E S01 LOT 1	(NENE)35.0	LOT 2 (NWNE)24.0
R42E S06 LOT 4	(NWNW)34.0	
T07N R41E S36	NENE 39.0	NWNE 39.0
	SWNE 39.0	SENE 39.0
	NENW 39.0	NWNW 39.0
	SWNW 39.0	SENW 39.0
	NESW 34.0	NWSW 30.0
	SESW 9.3	NESE 39.0
	NWSE 39.0	SWSE 38.0
	SESE 37.0	
R42E S31 LOT 3	(NWSW)39.0	LOT 4 (SWSW)38.0
708.3 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and 22-13570.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-2222 and 22-2287 pursuant to Section 42-1426, Idaho Code.

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

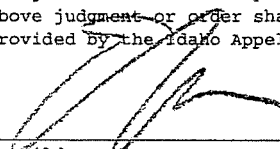
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on July 31, 2012, with sufficient first-class postage to the following:

MILNER IRRIGATION DISTRICT
Represented by:
BARKER ROSHOLT & SIMPSON LLP
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

AMERICAN FALLS RESERVOIR
Represented by:
C THOMAS ARKOOSH
CAPITOL LAW GROUP PLLC
301 MAIN ST
PO BOX 32
GOODING, ID 83330-0032
Phone: 208-934-8872

CANYON CREEK CANAL CO
FREMONT MADISON IRRIGATION
MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
Represented by:
JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

IGWA INC
Represented by:
RANDALL C BUDGE
201 E CENTER ST STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
Represented by:
ROGER D LING
PO BOX 623
RUPERT, ID 83350-0623
Phone: 208-434-2717

NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT
Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318-0248
Phone: 208-678-3250

~~PATRICE WALTERS~~
~~SHAWN J WALTERS~~
~~W JEFFREY WALTERS~~
PO BOX 156
NEWDALE, ID 83436

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

