

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 37-235C
Date Received: 4/20/1989
Receipt No: X999999
Received By: *UJH*

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

1. Name of Claimant(s)

JIMMIE R WALKER Phone: (208) 788-4525
PO BOX 400
BELLEVUE ID USA 83313

KATHY M WALKER Phone: (208) 788-4525
PO BOX 400
BELLEVUE ID USA 83313

2. Date of Priority: 06/15/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.58	

7. Total Quantity Appropriated is:

0.58 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01N	18E	13	NW SE	IRRIGATION	23.6
			SW SE	IRRIGATION	3.6
			SE SW	IRRIGATION	0.2
				Section Acres	27.4
				Total Acres	27.4

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

11/19/2002: CLAIM AMENDED PER NOTICE RECEIVED 11/15/2002. CHANGE IN POU AND SEASON OF USE. OWNERSHIP CHANGED HEATH MARSHALL TO JIMMIE WALKER PER DEED SUBMITTED WITH AMENDMENT. - VH

TRANS. 2962.

P/U CORRECTED BY ORDER, 11-29-1916.

6.6 CFS DECREED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.

P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

***** THIS IS A PORTION
OF A37-00235A WHICH WAS SPLIT WHEN HEATH- MARSHALL INC SOLD THE 84 ACRES IN SECTION
24 AND .42 CFS TO JIM AND JO AN WALKER. COPY OF DEED AND MAP SUBMITTED.
2/24/98 jr

15. Basis of Claim: Decreed

AMENDED 37-235 C

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 15 2002

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Jimmie R. Walker and Kathy M. Walker Phone (208) 788-4525Mailing Address P.O. Box 400, Bellevue, ID Zip 833132. Date of Priority (Only one (1) per claim) 6/15/18833. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 36,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. District 45 canal

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 10/31 amount 0.58 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.58 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	13											0.2			23.6	3.6		27.4

Total number of acres irrigated 27.4

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Claims 37-308A, 37-236A Or None ☐

14. Remarks:

This amended claim is being filed to more accurately reflect historical irrigated
acreage on applicants property. Claimant acquired property from Heath-Marshall, Inc.
See attached deed.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-235A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. 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 ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Date

Date

For Organizations: I do solemnly swear or affirm that I am _____

Of _____, that I have signed the foregoing
Organization

Document in the space below as _____ of _____
Title Organization

And that the statements contained in the foregoing document are true and correct.

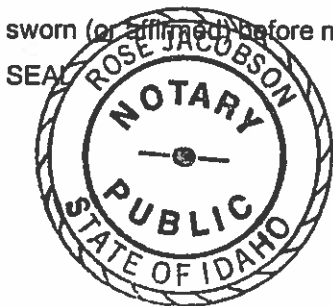
Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho / or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 29 day of Oct, 2002
Notary Public Rose Jacobson
Residing at Bellevue, ID
My Commission Expires 7/17/2004



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing
above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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: A37-00235C

Date Received: 4/20/1989

Receipt No: X777777

Received By: *split / ownership
change of*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEATH MARSHALL INC 208-233-1121
Address: PO BOX 250
POCATELLO ID 83204

2. Date of Priority: JUN 15, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.580		

7. Total Quantity Appropriated is:
0.580 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	13	NW	SE		IRR	14.5
			SW	SE		IRR	2.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
					Total Acres	17.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00236A, 00308A

14. Remarks:

TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
6.6 CFS DECREED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.
P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

THIS IS A PORTION OF A37-00235A WHICH WAS SPLIT WHEN HEATH-
MARSHALL INC SOLD THE 84 ACRES IN SECTION 24 AND .42 CFS TO JIM
AND JO AN WALKER. COPY OF DEED AND MAP SUBMITTED. 2/24/98 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

16. 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 08 1996

DATE OF CLOSING: 6-7-1993

LEGAL DESCRIPTION OF PROPERTY: Township 1 Range 6 Section 1/4 of 1/4 of 1/4 Govt. Lot BM.
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Southern Region

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A37-00235A, 00236, 00308

[] Name and Address of Former Owner/Claimant(s)(Seller): Heath-Marshall Inc.
PO Box 250, Pocatello, ID 83204

[] New Owner/Claimant (Purchaser): Jim J. Walker &/or Jo An S. Walker

[] New Mailing Address: PO Box 400
Bellevue, ID 83313

[] New Telephone Number: (208) 788 - 4525

[] Does the change in ownership result in a splitting of the water right owned/claimed? x yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

A37-00235A: 0.42 cfs; A37-00236: 1.68 cfs; A37-00308: 0.68 cfs.

Place of Use : 84 acres in Sec. 24 T. 1N R. 18E

[] Attach proof of ownership, describe proof attached: Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) [Signature] Date 2/13/98

[] Signature of Former Owner/Claimant(s): HEATH-MARSHALL, INC. Date 2-5-96
Paul S. Marshall Sec/Treas Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 9/10/97 By T.B.

Further Action Needed: additional information

Further Action Taken

Date By

Final Review and Data-Entry

Date 2/24/98 By [Signature]

Claim Numbers of Split, if any:

A37-00235 C & D

A37-00236 A & B

A37-00308 A & B

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Rec'd 12-21-86
GSM

THIS INDENTURE, Made this 2 day of July

in the year of our Lord one thousand nine hundred and seventy-one, between
EDWARD W. STRICKER and BARBARA JEANNINE STRICKER, husband and wife

of Bellevue, County of Blaine, State of Idaho

the parties of the first part, and JOHN F. HEATH and LORETTA J. HEATH, husband and wife of Ketchum, Blaine County, State of Idaho, and GLEN S. MARSHALL and MARGARET L. MARSHALL, husband and wife - Box 1210, Pocatello, Idaho 83201

of Pocatello, County of Bannock, State of Idaho

the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of SEVENTY SIX THOUSAND FIVE HUNDRED AND NO/100----- DOLLARS,

lawful money of the United States of America,

to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in the County of Blaine, State of Idaho, to-wit:

TOWNSHIP 1 NORTH of RANGE 18 EAST of the BOISE MERIDIAN, BLAINE COUNTY, STATE OF IDAHO:

SW $\frac{1}{4}$ SW $\frac{1}{4}$;

SECTION 13: E $\frac{1}{4}$ SW $\frac{1}{4}$; all of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT Highway right of way, designated as Tax Lot 1371 on Blaine County Tax Assessor's Rolls; all of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT Highway right of way, designated as Tax Lot 1372 on Blaine County Tax Assessor's Rolls;

SECTION 24: All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT Highway right of way, designated as Tax Lot 1368 on Blaine County Tax Assessor's Rolls; all of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPT Highway right of way, designated as Tax Lot 1369 on Blaine County Tax Assessor's Rolls; All of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPT Highway right of way designated as Tax Lot 1370 on Blaine County Tax Assessor's Rolls.

Together with all water, water rights and ditches appurtenant thereto.

RECEIVED

FEB 09 1995

Department of Water Resources
Southern Region

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

T# 4756

No. 214297

WARRANTY DEED

— TO —

Dated _____, 19__

STATE OF IDAHO, }

COUNTY OF Blaine

by certify that this instrument was filed
at request of

Edna J. Marshall
30 minutes past 4:00

o'clock P. M., this 24 day

of April A. D. 1981

In my office, and duly recorded in Book _____

of 100 at page _____

By Marie Ivie Ex-Officio Recorder.

By Hazel Baker Deputy.

Fees, \$ 4.00

Mail to _____

No. 219446

corrected

STATE OF IDAHO, }
COUNTY OF BLAINE }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT THE REQUEST OF

Neath & Marshall

AT 10:05 O'CLOCK A.M.

Sept 21 A. D. 1981

RECORDED IN BOOK _____ ON PAGE _____

OF 100

MARIE IVIE

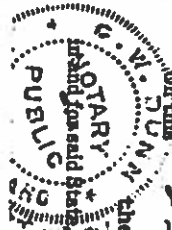
EX-OFFICIO RECORDER

BY Mary Ann DEPUTY

FEES \$ 4.00

ENTERED & ENTERED ON MARGIN
FILED & INDEXED 1st PARTY
COMPARED & INDEXED 2nd PARTY

B of 1210
Pocatello, Ida



COUNTY OF Blaine

STATE OF IDAHO,

On this 21st day of July

the undersigned

EDWARD W. STRICKER, husband and wife

, a Notary Public

in the year 19 71, before me

IN WITNESS WHEREOF, The said parties
and seal as the day and year first above written.
SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Edna J. Marshall [Seal]
Barbara Jeannine Stricker [Seal]

[Seal]

[Seal]

DEED

FOR VALUE RECEIVED, Ten doll. and other valuable consideration
HEATH-MARSHALL, INC., P.O. Box 250, POCATELLO, ID., 83204
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto JIM J. WALKER AND JO AN S. WALKER, HUSBAND AND WIFE,
P.O. Box 400, BELLEVUE, ID., 83313.
grantee, the following described real estate, to-wit:

LOT THREE (3) AGGREGATE ACRES SUBDIVISION, LOCATED WITHIN SECTION 24,
TOWNSHIP ONE NORTH, RANGE 18 EAST, B.M., BLAINE COUNTY, IDAHO.

TOGETHER WITH IRRIGATION WATER RIGHTS INCLUDING 21 INCHES OF 1883
DATE OF DECREE, 84 INCHES OF 1884 DATE OF DECREE, AND 34 INCHES OF
1886 DATE OF DECREE WATER, AND DITCHES APPURTENANT THERETO.

SUBJECT TO REAL ESTATE TAXES FOR THE YEAR OF 1993 AND THEREAFTER.

SUBJECT TO LEVIES AND ASSESSMENTS OF WOOD RIVER VALLEY IRRIGATION
DISTRICT NO. 37 AND 37M.

SUBJECT TO UTILITY EASEMENTS OF RECORD.

RECEIVED

FEB 09 1995

Department of Water Resources
Southern Region

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee
THEIR heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this 10TH DAY OF JUNE 1993.

HEATH-MARSHALL, INC.

IDAHO

By

[Signature]

PRESIDENT.

ATTEST:

[Signature]

SECRETARY.

STATE OF IDAHO, COUNTY OF

On this 7th day of JUNE, 1993,
before me, a notary public in and for said State, personally
appeared JOHN F. HEATH and

GLEN S. MARSHALL, known to me to
be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

[Signature]

Notary Public

Residing at Pocatello

Comm. Expires 11-20-98

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$ _____

Mail to: _____

INSTRUMENT NO.

GLEN S. MARSHALL

REAL ESTATE BROKER

MARSHALL BROTHERS
COMMERCIAL REALTORS
PHOTOGRAPHY

107-115-2050

PLAT SHOWING EGATE ACRES SUBDIVISION

ED WITHIN SECTIONS 13 AND 24, T.1N., R.18E., B.1M

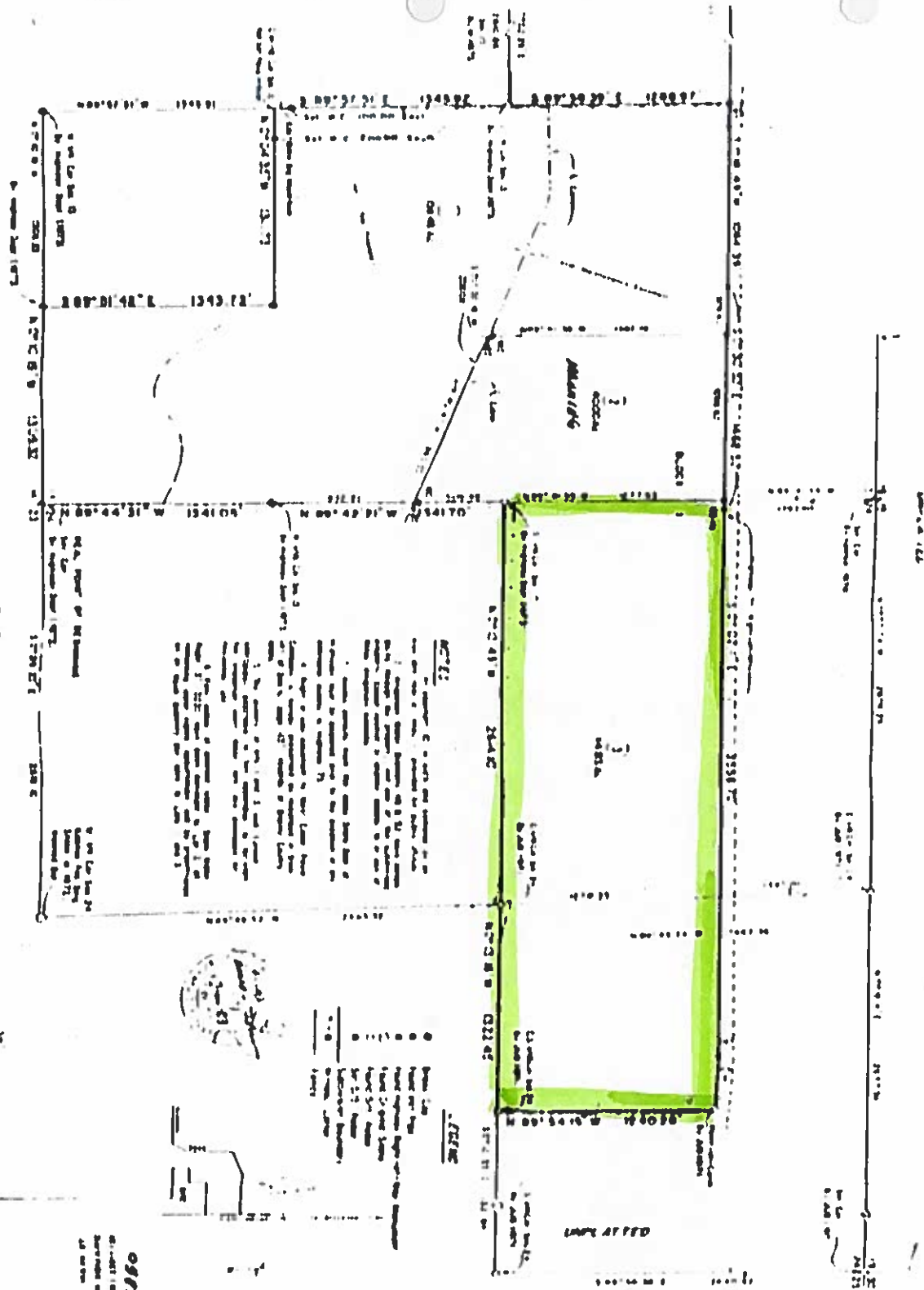
BLAINE COUNTY, IDAHO

1984

UNPLATTED SCALE IN FEET

UNPLATTED

27.57' 10.1'



RECEIVED

FEB 12 1996

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

Department of Water Resources
Southern Region

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: A37-00235A

Date Received: 4/20/1989

Receipt No: S006918

Received By: J. G. Stanton

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HEATH-MARSHALL INC 208-233-1121
Address: PO BOX 250
POCATELLO ID 83204

2. Date of Priority: JUN 15, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	13	NW	SE		IRR	14.5
			SW	SE		IRR	2.5

MICROFILMED
NOV 22 1996

Tibbitts

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
		24	NW	NE	IRR	15.0
			SW	NE	IRR	26.0
			NE	SW	IRR	6.0
			NW	SE	IRR	37.0
					Section Acres	84.0
					Total Acres	101.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00236, 00308

14. Remarks:
TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
6.6 CFS DECREED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.
P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

16. 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED
NOV 22 1996

For Organizations:

I do solemnly swear or affirm that I am SEC/TREAS of
Title
HEATH-MARSHALL, INC, that I have signed the foregoing
Organization
document in the space below as SEC/TREAS of
Title
HEATH-MARSHALL, INC and that the statements contained in the
Organization
foregoing document are true and correct.

BEN B. MARSHALL
Signature of Authorized Agent

SEC/TREAS - HEATH-MARSHALL, INC
Title and Organization

2-12-96
Date

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of FEBRUARY 19 96

E. Diane Dye
Notary Public

Seal

Residing at POATELLO

My Commission Expires 03/00

MICROFILMED
NOV 22 1996

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: A37-00235A
Date Received: 4/20/1989
Receipt No: S006918
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEATH-MARSHALL, INC. 208-233-1121
Address: P.O. BOX 250
POCATELLO, ID 83204

2. Date of Priority: JUN 15, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	NW	NE		IRR	38.0

Section Acres 38.0

Total Acres 38.0

A37-00235A

Page 1

Date: 04/20/89

MICROFILMED
FEB 22 1992

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A37-00236, 00308

14. Remarks:

TRANS. 2962.

P/U CORRECTED BY ORDER, 11-29-1916.

6.6 CFS DECREED WOOD RIVER WATER CLAIMED & USED ON 115 ACRES

P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

16. 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 22 1993

RECEIVED

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

APR 19 1989

Department of Water Resources
Southwest Region Office

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

37-00235A (PORTION)

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) HEATH-MARSHALL, INC Phone (289) 233-1121Mailing Address P.O. BOX 250, POCAHELLO, ID Zip 832042. Date of Priority (Only one (1) per claim) 18833. Source of water supply (a) DISTRICT CANAL
which is tributary to (b) WOOD RIVER4. a. Location of existing point of diversion is: Township 2N Range 18E Section 30,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, E B.M., County of BLAINE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.HEADGATE # 45 - DISTRICT CANALMICROFILMED
FEB 22 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/1 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is NA acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NA

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>18E</u>	<u>24</u>		<u>38</u>															<u>38</u>

Total number of acres irrigated 38

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
SEE REMARKS or None ()

14. Remarks:
OUR THREE DECREED WATER RIGHTS, (37-0235 A.-
37-0236 - 37-0308) ARE CO-MINGLED + ALL
USED TO IRRIGATE 115 ACRES IN SECTION # 24.

Last Name HEATH-MARSHALL Ident No. 37-0235 A

Copies: White -State, Yellow-Claimant

MICROFILMED
FEB 22 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
FEB 22 1993

Last Name HEATH-MARSHALL

Ident No. 37-0235A

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 1983

Plaintiff vs Defendant _____

16. 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 X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments ONE - AGGREGATE ACRES SUBDIVISION PLAT

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct. 10-20-88

Signature of Claimant (s) Ben B. Marshall Date _____

REVISED

Date 4-18-89

For Organizations: I do solemnly swear or affirm that I am SEC/TREAS

Title

of HEATH-MARSHALL, INC , that I have signed the foregoing

Organization

document in the space below as SEC-TREAS of HEATH-MARSHALL, INC

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ben B. Marshall

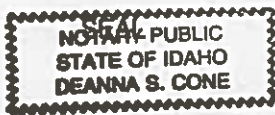
Title and Organization SEC/TREAS Date 10-20-88

REVISED

4-18-89

State of Idaho/or _____)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 18 day of APRIL 19 89



Notary Public Deanna S Cone

Residing at POCATELLO

My Commission Expires 6-8-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
FEB 22 1993

Last Name HEATH-MARSHALL Ident. Number 37-0235A

Copies White-State, Yellow-Claimant

12/20/2006

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

RIGHT NUMBER: 37-235C

NAME AND ADDRESS: JIMMIE R WALKER
PO BOX 400
BELLEVUE ID 83313

KATHY M WALKER
PO BOX 400
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.580 CFS

PRIORITY DATE: 06/15/1883

POINT OF DIVERSION: T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.580 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R18E S13 SESW 0.10	T01N R18E S13 NWSE	23.70
	T01N R18E S13 SWSE 3.60		
	27.4 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 27.4 acres in a single irrigation season. Combined Right Nos.: 37-235C, 37-236A, and 37-308A.

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 - Decreed

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

This right is a split from former right 37-235A.

12/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 37-235C

JIMMIE R WALKER
PO BOX 400
BELLEVUE ID 83313
Telephone Number: (208)788-4525

KATHY M WALKER
PO BOX 400
BELLEVUE ID 83313
Telephone Number: (208)788-4525

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

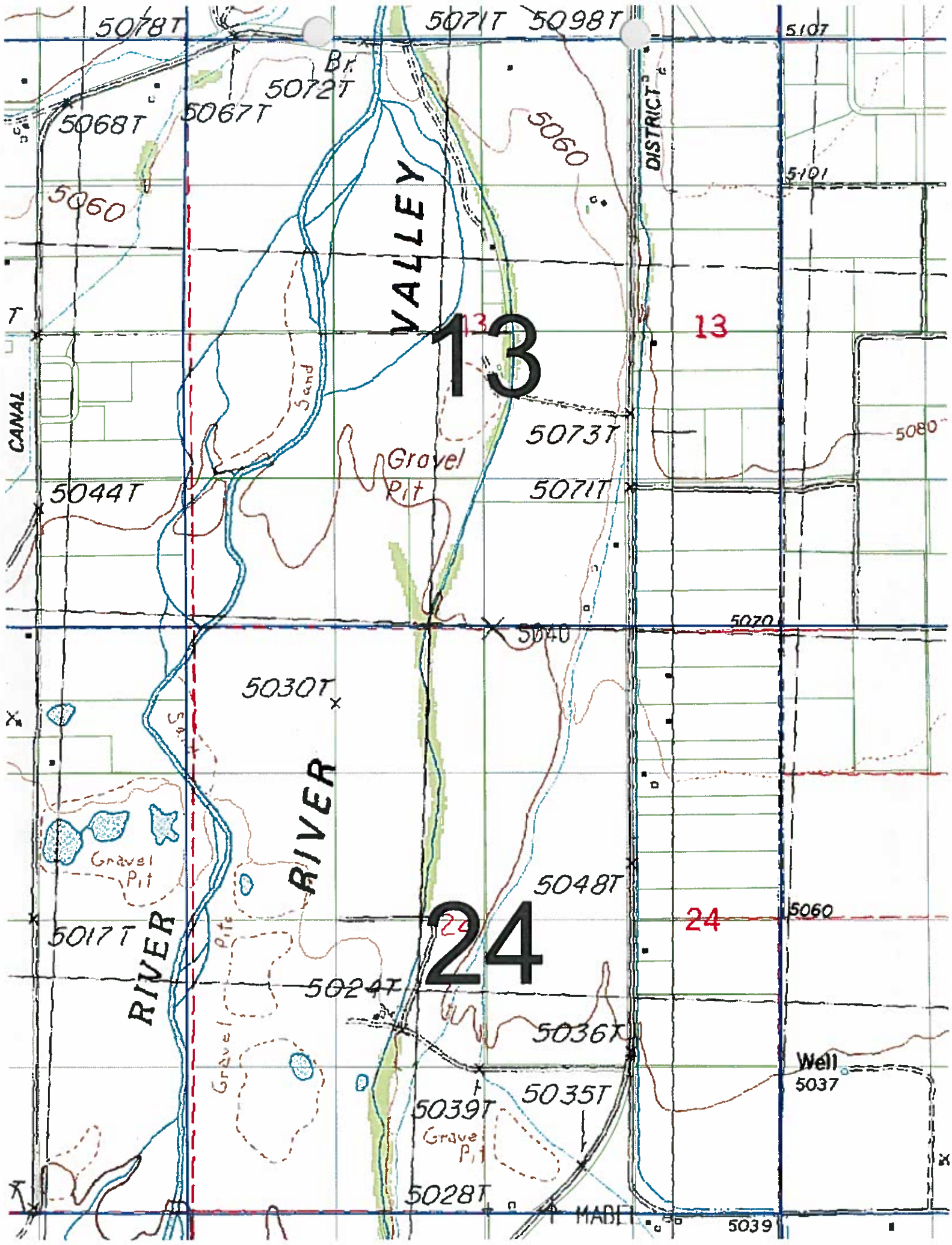
3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033



12/20/2006

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

RIGHT NUMBER: 37-235C

NAME AND ADDRESS: JIMMIE R WALKER
PO BOX 400
BELLEVUE ID 83313

KATHY M WALKER
PO BOX 400
BELLEVUE ID 83313

WM-OK
WR-OK

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.580 CFS

PRIORITY DATE: 06/15/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.580 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S13

SESW

0.10

T01N R18E S13

NWSE

23.70

T01N R18E S13

SWSE

3.60

27.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 27.4 acres in a single irrigation season. Combined Right Nos.: 37-235C, 37-236A, and 37-308A.

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 - Decreed

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

This right is a split from former right 37-235A.



Idaho Department of Water Resources

SRBA Recommendation:

37-235C

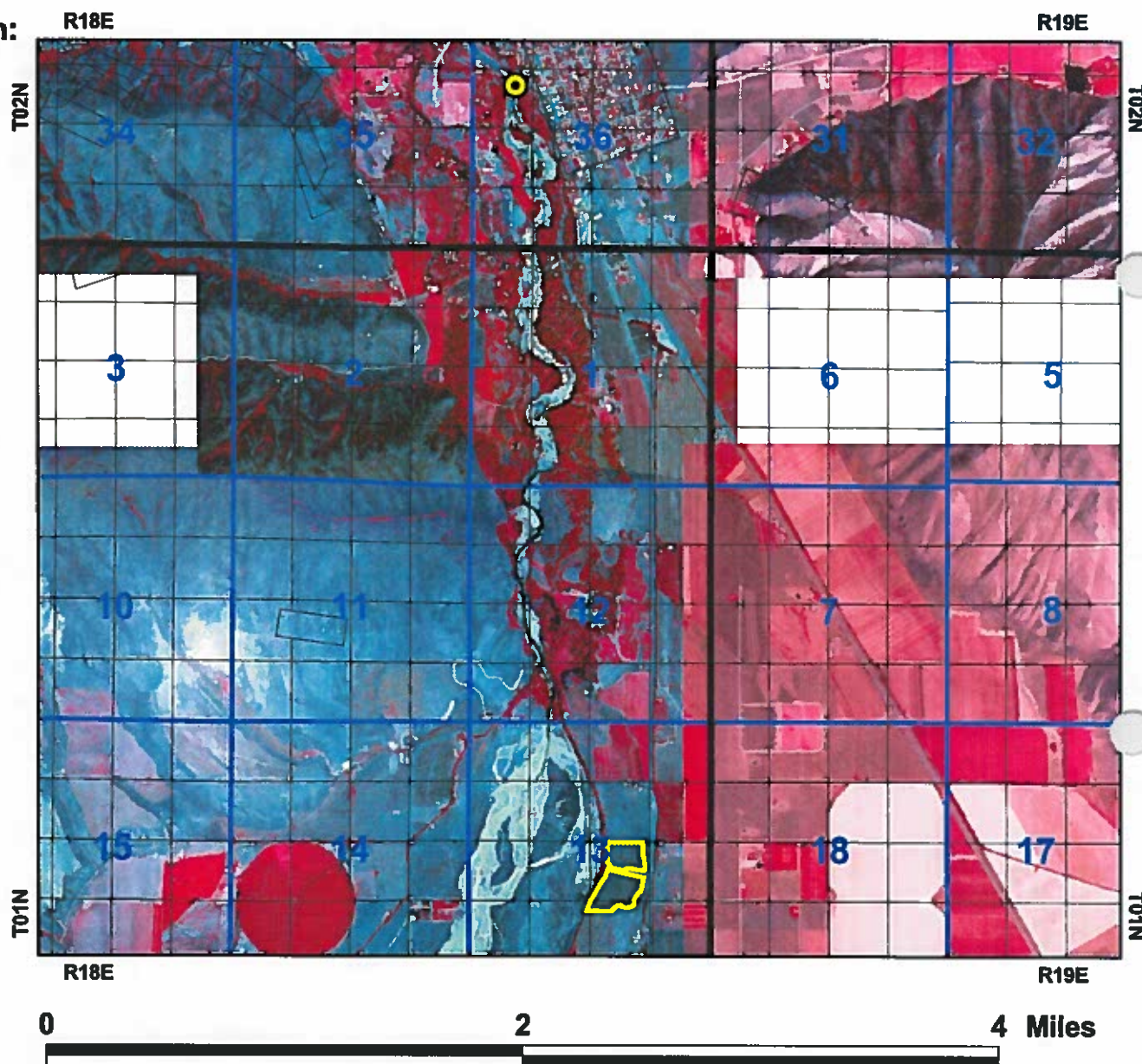
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by J. Roberts
On Tuesday, December 19, 2006
1987/88 Aerial Photography

Owner: Jimmie R Walker

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

37-235C



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-235C V1

WATER RIGHT NUMBER: 37-235C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIMMIE R WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-4525
Original Owner	HEATH MARSHALL INC PO BOX 250 POCATELLO, ID 83204-0250 (208)233-1121
Current Owner	KATHY M WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-4525

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.580 CFS	
	<u>Total Diversion:</u>	0.580 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L3 (NE1/4SW1/4NW1/4)	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	13												.1			23.7	3.6	27.4

Total Acres: 27.4

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 27.4 acres in a single irrigation season. Combined Right Nos.: 37-235C, 37-236A, and 37-308A.
3. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-235C V1

4. P21 This right is a split from former right 37-235A.

Remarks:

Comments:

1. Jroberts 12/19/2006 Basis of Recommendation

Comment: Recommended as claimed. Overlaps with two other rights. Initially, there were concerns about the dates of the amended claims and if they were legal or if a transfer should have been filed. It was later determined that the Strickers owned both parcels in Sec. 13 and 24 and sold to Heath-Marshall in the 70s. Heath-Marshall probably did not understand how to file their claims and later hired Brockway to help with the amendments.

2. Jroberts 12/19/2006 copied from remarks

Comment: 11/19/2002: CLAIM AMENDED PER NOTICE RECEIVED 11/15/2002. CHANGE IN POU AND SEASON OF USE. OWNERSHIP CHANGED HEATH MARSHALL TO JIMMIE WALKER PER DEED SUBMITTED WITH AMENDMENT. - VH TRANS. 2962.

P/U CORRECTED BY ORDER, 11-29-1916.

6.6 CFS DECREED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.

P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

..... THIS IS A PORTION OF A37-00235A WHICH WAS SPLIT WHEN HEATH- MARSHALL INC SOLD THE 84 ACRES IN SECTION 24 AND .42 CFS TO JIM AND JO AN WALKER. COPY OF DEED AND MAP SUBMITTED.

2/24/98 jr

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-235

WATER RIGHT NUMBER: 37-235

Owner Type Name and Address

Priority Date:

Basis:

Status: See Remarks

Source Tributary

Beneficial Use From To Diversion Rate Annual Volume

Total Diversion:

Location of Point(s) of Diversion

Place of Use

Conditions of Approval:

1. SPLIT INTO 37-0235A & 37-0235B BY TRANS. 2962.

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-235A

WATER RIGHT NUMBER: 37-235A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETER FOSTER
	, ID

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	1.000 CFS	
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER SW1/4NW1/4 Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	18E	13												X					
01N	18E	24		X	X											X			

Conditions of Approval:

1. TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-235B

WATER RIGHT NUMBER: 37-235B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PETER FOSTER
	, ID
Current Owner	ROBERT DAN MANNING
	PO BOX 1125
	BELLEVUE, ID 83313

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /		1.000 CFS	
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	13												6.0			34.0	40.0	

Total Acres: 40

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
- R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- TRANS. 2962.
P/U INCOMPLETE. SEE FILE.
NOT TO EXCEED 1.0 CFS WHEN COMBINED WITH OTHER RTS. ON THIS LAND.
- R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235A

WATER RIGHT NUMBER: 37-235A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HEATH MARSHALL INC PO BOX 250 POCATELLO, ID 83204-0250 (208)233-1121

Priority Date: 06/15/1883

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	1.000 CFS	
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	13														14.5	2.5		17.0
01N	18E	24			15.0	26.0					6.0					37.0			84.0

Total Acres: 101

Conditions of Approval:

- TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
6.6 CFS DECREEED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.
P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
..... THIS RIGHT HAS BEEN SPLIT AS
FOLLOWS: A37-00235C HEATH-MARSHALL INC .58 CFS 17 AC A37-00235D JIM AND JO AN
WALKER .42 CFS 84 AC 2/24/98 jr

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235B

WATER RIGHT NUMBER: 37-235B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT DAN MANNING PO BOX 1125 BELLEVUE, ID 83313
Original Owner	PETER FOSTER , ID

Priority Date: 06/15/1883
 Basis: Decreed
 Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.000 CFS	
STOCKWATER	4/01 to 11/01	0.030 CFS	
<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER NE1/4SW1/4NW1/4 Sec. 36, Twp 02N, Rge 18E, B.M.
 BLAINE County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 13												6.0				34.0	40.0

Total Acres: 40

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 13												X				X	

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235B

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. 016 See remarks for additional conditions of approval.
3. TRANS. 2962.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
5. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:

Comments:

1. nerickson 11/11/2006 POD

Comment: Correlated PODID 128996 from SpatialDataID 365161 to SpatialDataID 217639

2. nerickson 11/11/2006 POD

Comment: Correlated PODID 128996 from SpatialDataID 365161 to SpatialDataID 217639

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235C

WATER RIGHT NUMBER: 37-235C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIMMIE R WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-4525
Original Owner	HEATH MARSHALL INC PO BOX 250 POCATELLO, ID 83204-0250 (208)233-1121
Current Owner	KATHY M WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-4525

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 10/31	0.580 CFS	
	<u>Total Diversion:</u>		0.580 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	13												.2		23.6	3.6		27.4

Total Acres: 27.4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235C

1. TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
6.6 CFS DECREEED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.
P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
..... THIS IS A PORTION OF A37-00235A
WHICH WAS SPLIT WHEN HEATH- MARSHALL INC SOLD THE 84 ACRES IN SECTION 24 AND
.42 CFS TO JIM AND JO AN WALKER. COPY OF DEED AND MAP SUBMITTED.
2/24/98 jr
2. 11/19/2002: CLAIM AMENDED PER NOTICE RECEIVED 11/15/2002. CHANGE IN POU AND
SEASON OF USE. OWNERSHIP CHANGED HEATH MARSHALL TO JIMMIE WALKER PER DEED
SUBMITTED WITH AMENDMENT. - VH

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235D

WATER RIGHT NUMBER: 37-235D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JO AN S WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-4525
Original Owner	JIM J WALKER PO BOX 400 BELLEVUE, ID 83313 (208)788-2866
Current Owner	WALKER SAND & GRAVEL LTD CO PO BOX 400 BELLEVUE, ID 83313 (208)-788-4893

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.420 CFS	
	<u>Total Diversion:</u>	0.420 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	24	33.1	33.5						5.8						37.6			110.0

Total Acres: 110

Conditions of Approval:

- TRANS. 2962.
P/U CORRECTED BY ORDER, 11-29-1916.
6.6 CFS DECREEED WOOD RIVER WATER CLAIMED & USED ON 101 ACRES.
P/U NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
..... THIS IS A PORTION OF A37-00235A
WHICH WAS SPLIT AS THE RESULT OF AN OWNERSHIP CHANGE ON A PORTION OF THE
RIGHT. 2/24/98 jr

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-235D

2. 11/18/2002: AMENDED CLAIM PER NOTICE RECEIVED 11/15/2002. OWNERSHIP CHANGE PER DEED SUBMITTED. - VH

Remarks:

Comments:

Water Supply Bank:

NOTE TO FILE

From: Vikie Hancock

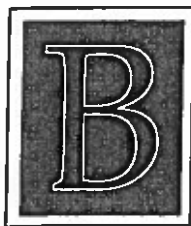
11/19/02

Regarding: Claim numbers 37-235C & D, 37-236A & B, 37-308A & B

As pointed out in Jim Stanton's letter to Mr. Marshall in 1996, these claims as originally filed, amended, and now amended again in 2002 possibly do not reflect the correct valid configuration of the above water rights. It does, however appear that Jimmie R. Walker / Jim J. Walker / Walker Sand and Gravel do own all the property included in the SRBA claims per the deeds submitted 11/15/02.

Note that at this time the claimants are also applying for two permits, one for industrial use and one for 25 acres of irrigation which they state began in 1983.

Change of ownership of 37-235C, 37-236A and 37-308A was processed based upon the signed amendment of claim and enclosed deed.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

NOV 15 2002

Department of Water Resources
Southern Region

November 15, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Water right applications and SRBA claims – Walker
Project No. 529-01-2001

Dear Allen:

Enclosed are the following applications and claims for Walker Sand and Gravel Ltd. Co., and for Jimmie R. and Kathy M. Walker:

Permit Application #1: Industrial use

This permit will cover additional non-consumptive use from a well known as the "Crusher Well" which has occurred due to increased pump size. The permit also provides for an additional 400 gpm for future expansion. If this permit is approved, a total of 5.90 cfs (2650 gpm) would be allowed from all wells.

Water from the industrial wells is withdrawn for use in the facility for washing gravel and sand. Spent water is directed to an existing recharge pit, where it returns to the aquifer rapidly by infiltration in the gravelly soil. This recharge pond has been in use at least since the original permit 37-8136 was acquired in the early 1980s. Another permit, 37-8532, with a priority date of 7/20/1989, also covers the industrial use. Both of these permits were granted prior to the moratorium on new consumptive use water rights. Therefore, any consumptive use which may be inherent in the water use, or which may occur by evaporation from the recharge pit, is covered by these earlier rights. The recharge pit covers approximately 4.4 acres, and is located in soil designated by the SCS as the Balaam-Adamson-Riverwash complex. This soil has an infiltration rate ranging from 8 ft/day in the upper layers to over 40 ft/day in cobble layers beginning about 1.5 feet below ground. To recharge the total well discharge, an infiltration rate of only 2.66 ft/day is required; therefore, the pit is easily capable of recharging the total well discharge with insignificant increase in water depth or water surface area. Therefore, the new

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

permit application will not result in an increase in consumptive use over historical usage.

Permit Application #2: Irrigation.

Irrigation of 25.0 acres in the location shown on the attached map commenced in 1983 and has continued to the present. Water for this irrigation has been drawn from the well known as the "Valley Paving Well" and applied to the land with wheel line sprinkler systems. A water right permit was not acquired for this usage. The applicant recently became aware of the lack of a permit for this usage, and is requesting that this permit application be processed based on beneficial use that began prior to the moratorium. This land has not been irrigated with surface water; a review of historical photos from 1957, 1964, 1969, and 1977 confirms this.

An affidavit by Jim J. Walker is being submitted in support of this permit application. Mr. Walker testifies that the usage began in 1983 and has continued to the present, and that no other water, including surface water, has been used on this land.

An aerial photo workup of the 1987 infrared photo is also being submitted, showing this land clearly irrigated at that time.

Amendments to SRBA claims 37-235C, 37-236A, and 37-308A.

These claim amendments are being filed to correct the place of use description based on documented historical use. The claims are appurtenant to the north parcel purchased from Heath-Marshall in 2001. The acreage claimed is based on the 1964 aerial photo, which shows 28.4 acres irrigated as indicated on the attached map. Ownership of this land is in the name of Jimmie R. Walker and Kathy M. Walker, as evidenced by the attached deed.

Amendments to SRBA claims 37-235D, 37-236B, and 37-308B.

These claim amendments are being filed to correct the place of use description based on documented historical use. The claims are appurtenant to the south parcel purchased from Heath-Marshall in 1993, plus a small amount of historical irrigation on the original Walker property, as indicated on the

attached map. The acreage claimed is based on the 1964 aerial photo, which shows 110.0 acres irrigated. This land is in the name of Walker Sand and Gravel, as evidenced by the attached deed.

Fees for the applications and claims are being submitted as follows:

Permit #1	3.47 cfs	\$370
Permit #2	0.50 cfs	\$250
Claims – north	10 unclaimed acres	\$10
<u>Claims – south</u>	<u>26 unclaimd acres</u>	<u>\$26</u>
TOTAL		\$656

Enclosed is Brockway Engineering check #4040 for \$656.00.

Sincerely,

Charles G. Brockway, P.E.

Enc.

cc: Jim Walker

Order No. 28342

This Deed is being
re-recorded to correct
the water rights.

Instrument # 454181

HAILEY, B

2001-08-10

Recorded for: AMERITITLE

MARSHA RIEMANN

Ex-Officio Recorder Deputy

Index to: CORRECTION DEED

IO

12:16:00

No. of Pages: 2

Fee: 6.00

CORPORATION
WARRANTY DEED

454181

FOR VALUE RECEIVED

HEATH-MARSHALL, INC.

a corporation duly organized and existing under the laws of the State of Idaho, does hereby GRANT, BARGAIN,
SELL and CONVEY unto

JIMMIE R. WALKER and KATHY M. WALKER, husband and wife

GRANTEE whose address is: P. O. Box 452 Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 1D and Parcel A of A REPLAT OF LOT 1, BLOCK 1, AGGREGATE ACRES SUBDIVISION, according to
the official plat thereof, recorded as Instrument No. 434576, records of Blaine County, Idaho. ***

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in
federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances
of any governmental unit.

This document may be executed simultaneously in one or more counterparts, each of which shall be
deemed an original but all of which together shall constitute one and the same instrument.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's
heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is
the owner in fee simple of said premises; that they are free from all encumbrances except as above described and
that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate
name to be hereunto subscribed by its President, Vice-President, Secretary or Assistant Secretary.

Dated: July 10, 2001

Heath-Marshall, Inc.

BY: JOHN F. HEATH, PRESIDENT

BY: GLEN S. MARSHALL, SECRETARY

State of UTAH

County of SALT LAKE

On this 11 day of July in the year 2001, before me, the undersigned, personally appeared JOHN F. HEATH
known or identified to me to be the president of the corporation that executed the instrument or the person who
executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the
same.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 10-30-02

State of

County of

On this _____ day of July in the year 2001, before me, the undersigned, personally appeared GLEN S.
MARSHALL known or identified to me to be the secretary of the corporation that executed the instrument or the
person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation
executed the same.

WITNESS my hand and official seal

Notary Public

Commission Expires:

*** TOGETHER WITH THE FOLLOWING DESCRIBED

WATER RIGHTS:

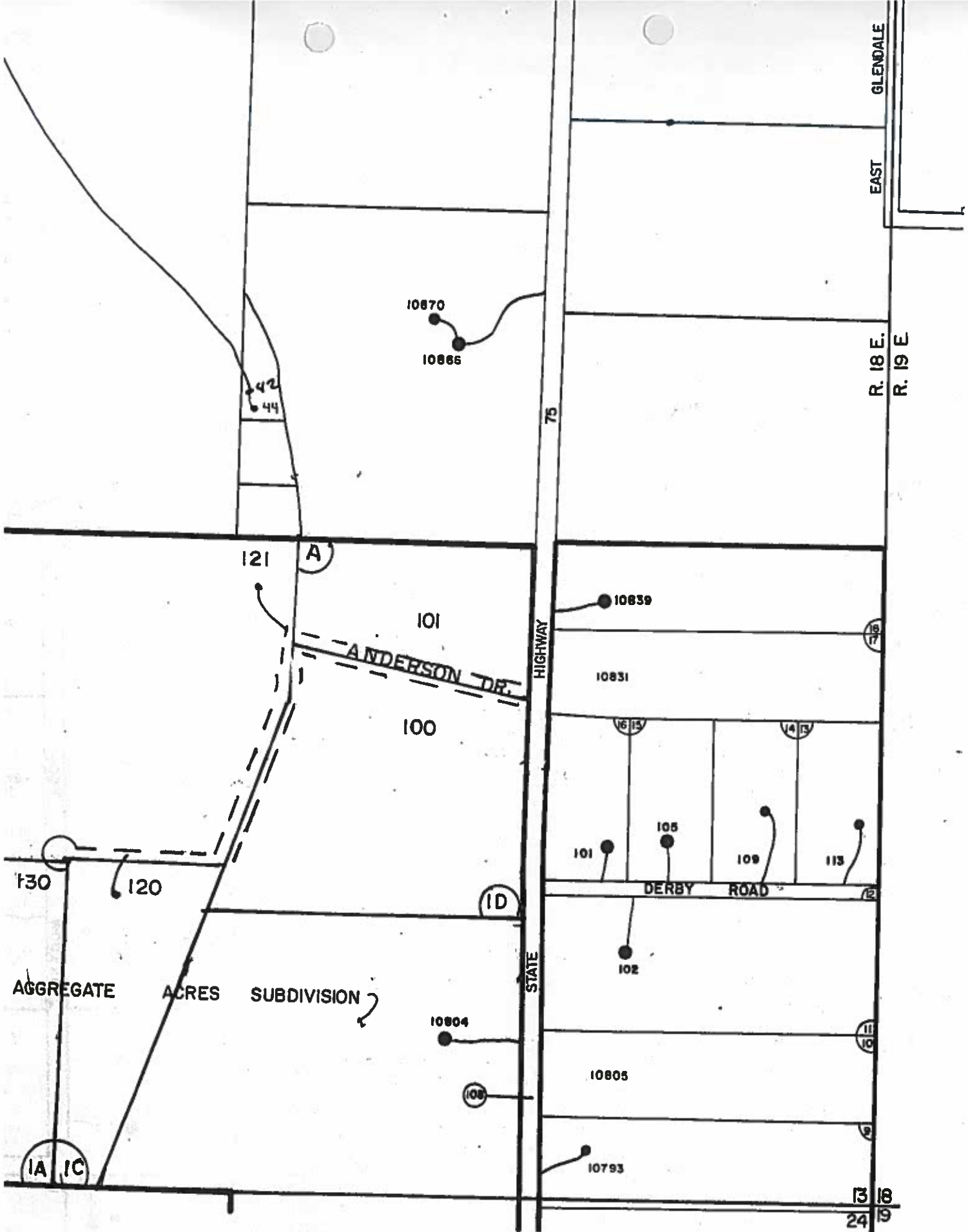
A37-00235A 29 inches, priority date .58 cfs
June 15, 1883

A37-00236 114 inches, priority date 2.32
June 15, 1884

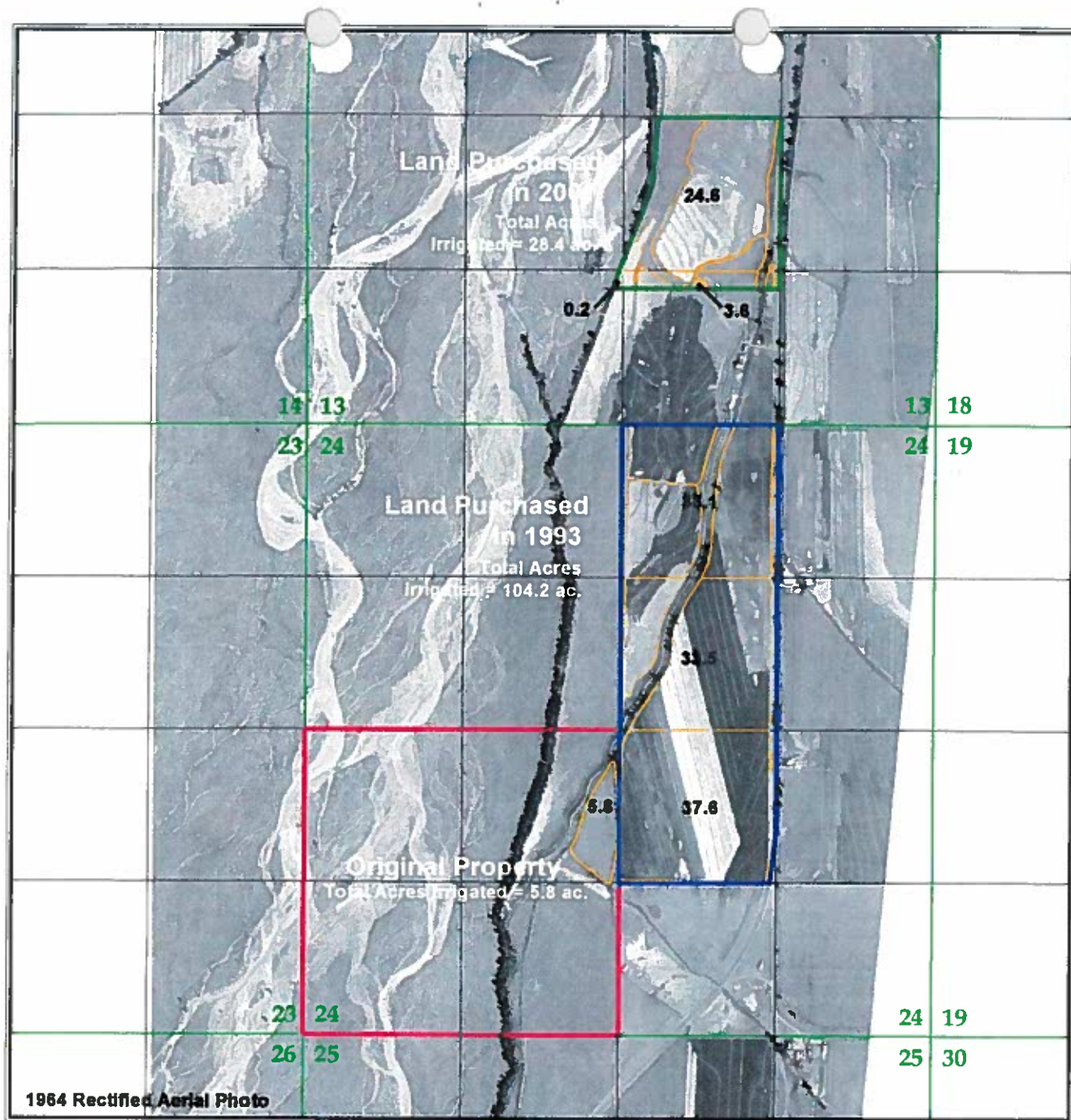
A37-00308 46 inches, priority date .42
May 14, 1886

3.82

portion that
was app'd.
to Lot 1D &
Parcel A



NOT SUBMITTED BY CLAIMANT/PAGE 2215 BLAINE CO
SEC. 13. T 1 N D 10 E SUBDIVISION PLATS



Walker Sand and Gravel Historical Usage

- Land Purchased in 1993 from Heath-Marshall, Inc.
- Land Purchased in 2001 from Heath-Marshall, Inc.
- Original Property
- Irrigated Acreage in 1964
- Section Lines
- Quarter Section Lines



LIMITED POWER OF ATTORNEY

RECEIVED

NOV 15 2002

Department of Water Resources
Southam Region

KNOWN ALL MEN BY THESE PRESENT:

I, Jim Walker, hereby nominate and appoint
Charles G. Brockway as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transfers before the Idaho Department of Water Resources for the following water right
transactions:

Permit application for 25.0 acres of irrigation in the NESW Sec. 24, T. 1 N., R. 18 E.
and permit application for industrial use in the SW1/4 Sec. 24, T. 1 N., R. 18 E.

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 29 day of Oct, 2002

Signature

Signature

State of Idaho)

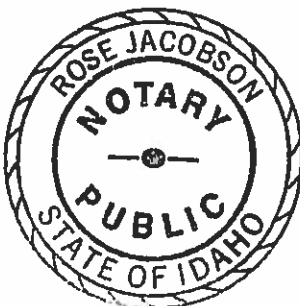
County of Blaine)

ss.

On this 29 Day of Oct, 2002, before me, a Notary Public
in and for said County and State, personally appeared Jim R. Walker,
known or identified to me to be the individual whose name and subscription 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.

S
E
A
L



Notary Public

In and for said State and County

7/17/2004
My Commission Expires

Idaho Department of Water Resources Receipt

Receipt ID S025319

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
<u>\$370.00</u>	<u>PERMITS</u>	<u>0229</u>	<u>21</u>	<u>64103</u>	<u>1155</u>
<u>\$250.00</u>	<u>PERMITS</u>	<u>0229</u>	<u>21</u>	<u>64103</u>	<u>1155</u>
<u>\$36.00</u>	<u>ADJUDICATION FILING FEE</u>	<u>0337</u>		<u>44503</u>	<u>1155</u>



Signature Line (Dept. Representative)

SD-0611-2 Basin: 37 Parting Water Right: 00235

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	37-00235			00/00/0000	/			WR
	37-00235A	FOSTER, PETER	C	06/15/1883	D/	BIG WOOD RIVER	IRR	WR
	37-00235B	MANNING, ROBERT DAN	C	06/15/1883	D/	BIG WOOD RIVER	IRR	WR
	A37-00235A	HEATH MARSHALL INC	C	06/15/1883	D/	BIG WOOD RIVER	IRR	AJ
	A37-00235B	MANNING, ROBERT DAN	C	06/15/1883	D/	BIG WOOD RIVER	IRR	AJ
							STOCK	

1. cfs
101 Ac.

58 cfs
17 Ac.

Walker
42 cfs
84 Ac.

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 25, 1998

HEATH MARSHALL INC
PO BOX 250
POCATELLO ID 83204

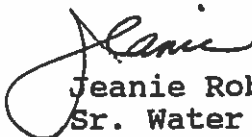
RE: SRBA CLAIMS A37-00235A, A37-00236, AND A37-00308

DEAR CLAIMANTS:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the Department has split the original claims. Your portions have been renumbered to A37-00235C, A37-00236A, and A37-00308A. Please find enclosed copies of the computer generated claims noting the changes.

Please review the record and if you have any corrections, notify this office.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:

INTER-DEPARTMENT MEMO

TO: DOUG JONES / JIM STANTON

FROM: STEVE CLELAND

SUBJECT: AMENDED CLAIMS
A37-00236, -308
-235A

DATE: 2-13-96

I was asked to review these files for proper form and content. I found nothing significant, except the item #8 no Consumptive use amount. However - It would be to everyone's interest to include a memo to these files explaining the following items:

* Permission to amend not req'd because second found notice. 2/6/97

- 1) Jim Stanton's contact w/ claimants?
- 2) Amended portions and why they are different?
- 3) Map (if not part of original claim)?
- * 4) §12-1409A(3) - what is the response from the Director To show good cause?

(X) For your information

() Response required

signature

* all data entry is complete - files ready to file w/ court.

MICROFILMED
NOV 27 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Glen S. Marshall
Heath-Marshall Inc.
PO Box 250
Pocatello, ID
83204

January 25, 1996

RE: Snake River Basin Adjudication Claims A37-00235A, 00236,
00308; Application for Transfer #4756

Dear Mr. Marshall;

As we discussed when I assisted you in applying for this transfer, the water rights and SRBA claims involved are a mess. The water rights are not used on the land they were decreed to, and the claims do not reflect this historic place of use of these rights. I was hoping that your transfer could be processed without dealing with these problems, but this is not the case. Before the transfer can be sent to our Boise office for final action, these problems must be addressed.

With regard to Right 37-00308, we need proof that you own this right. I recall that you mentioned that the right had been made appurtenant to your land (including the property you sold to Jim Walker) before your purchased the ground. We have no record of this, however, so you will need to research courthouse records or other sources to substantiate your ownership of this right. The land was originally decreed to the SW 1/4 of Sec. 24, most of which is west of the Bypass Canal.

The SRBA claims need to be amended to show the correct place of use. As filed, each claim covers one third of Lot 3 of Aggregate Acres Subdivision, all of which is in Sec. 24. This land is now owned by Jim Walker. Your land in Sec. 13 is not even covered by these claims, which makes it appear that you have no water rights to transfer. It would be best if you could come to the Twin Falls office to amend the claims. Once this is done, the claims can then be split between you and Mr. Walker.

You also need to fill out a form for excessive irrigation flows so that we can determine how much water is required to properly irrigate your land. The transfer, and your SRBA claims, will be

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NOV 22 1996 JU



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

limited to the flow rates that are actually needed for your particular system. Rather than wait for a future SRBA determination on this, we are now doing this as part of transfer processing. If land is being sprinkled, a flow rate of not over 0.02 cfs per acre will be allowed. Under gravity irrigation, the recommended rate will depend on land slope, soil type, and the actual irrigation practices used. Will you be pumping from the Bypass Canal for irrigation, or diverting via gravity flow?

Your application will be in the advertizing/protest phase until February 2. Assuming that no protests are received, we could send the file to Boise for final action soon after that. However, these problems will have to be resolved before that can be done.

If you have any questions, please feel free to contact me.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

cc: Anderson Asphalt Paving Co.
Doug Jones, SRBA

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NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Glen Marshall
Heath-Marshall Inc.
PO Box 250
Pocatello
83204

February 9, 1996

RE: Snake River Basin Adjudication Claims A37-00235A, 00236,
00308

Dear Mr. Marshall;

We have received your amended SRBA claims, but these documents are not acceptable due to the lack of notarized signatures. I have therefore prepared new claims for your signature. Please sign each claim on Page 3 before a notary before returning them to me for processing.

As you are aware, the question of forfeiture of these rights for non-use has been raised. Filing SRBA claims does not protect water rights from possible forfeiture, and a determination of forfeiture is a standard part of the claim-investigation process that all claims are subject to sooner or later. Since this question has been raised due to your pending transfer, you may wish to start looking for evidence to support your use of these water rights during the last five years. If we obtain clear evidence that your land has not been irrigated for the last five years when water was available, it may not be possible to approve the proposed transfer.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED
NOV 22 1996
1895-1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Glen S. Marshall
PO Box 66
Etna, WY
83118

January 29, 1996

RE: Application for Transfer #4756, Claims A37-00235A, 00236,
00308

Dear Mr. Marshall;

As a follow-up to my letter of last week, I have prepared amended claims for your signature. I have also prepared a change-of-ownership form to split these claims between you and Jim Walker. The claims have been amended to reflect the 101 acres of land that I found to be irrigated with these rights during a field inspection done while preparing the above-referenced transfer. I also changed to period of use to the standard April 15 to October 15. The ownership change is based on the deed that was executed in 1993.

If these documents are satisfactory, they need to be signed and returned to this office. The other items mentioned in my previous letter still need to be addressed, but they presumably do not require your signature. If we can obtain the needed information from Mr. Anderson or someone else, you will not need to visit our office.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

cc: Anderson Asphalt Paving Co.
Doug Jones, SRBA
Jim J. Walker

MICROFILMED
NOV 22 1996

131

DRY

MICROFILMED
NOV 22 1996

12 7
13 18

T4
20.0

13 18
12 19

MICROFILMED
NOV 22 1996

RECEIVED
No. 437

CLAIM ☐ ENT. ☐ NO. 437

-APR 19 1989

NO

Please complete 1 claim form per water right. The domestic well goes on the green + white form, the irrigation right on the black + white forms. Total fee = \$340. Instructions are enclosed.

Sincerely,
Loni White, Waters Agent

Is a quantity claimed for each use?

8. If required is a consumptive use entered?

Is the consumptive use correct?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ✓

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

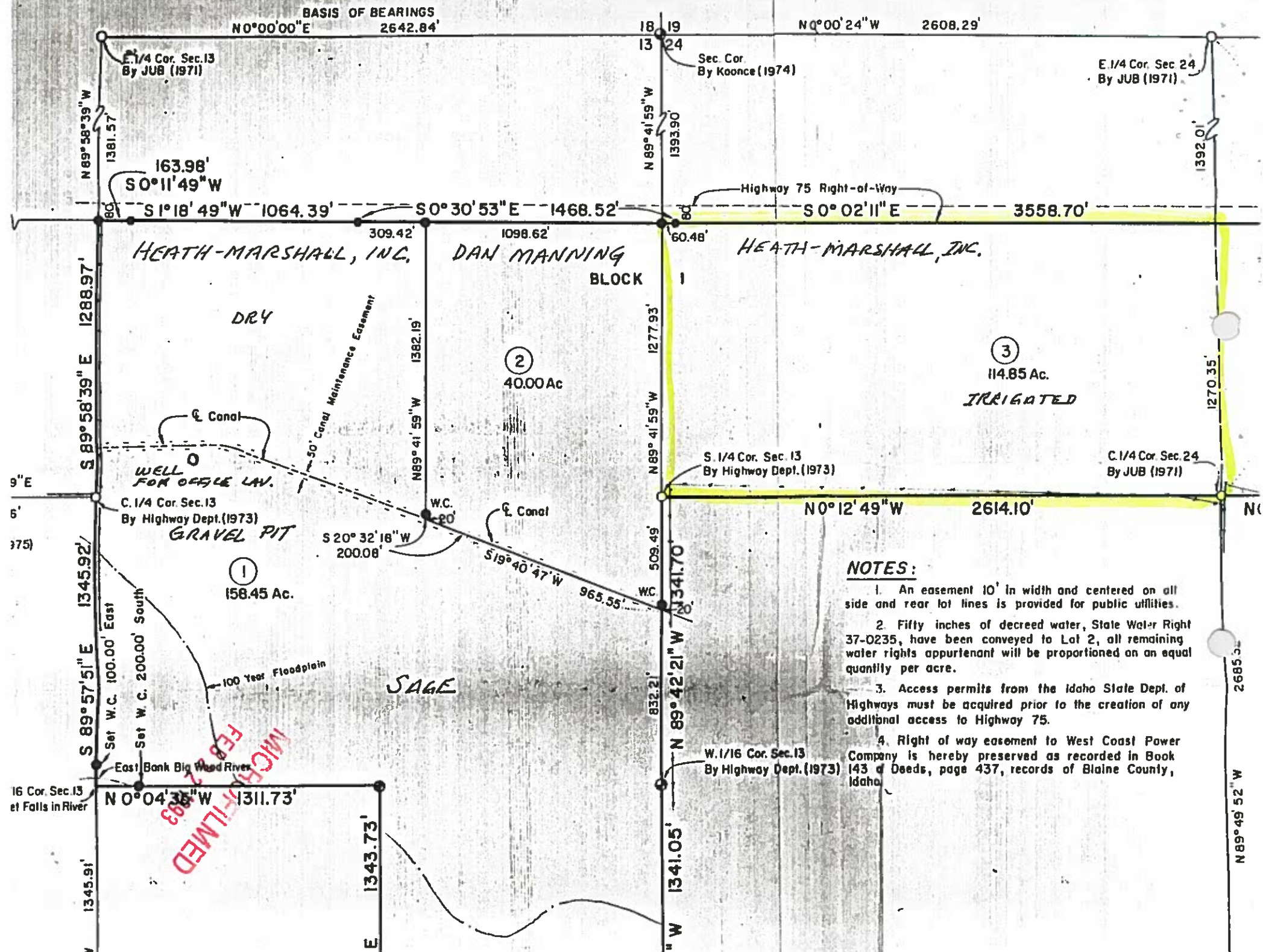
Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered?

Should this claim be receipted and data entered?

Claim checked by:

Comments: Correct Fee is \$165⁰⁰ Appears to be trying to
lump several water rights under 1 claim. (over)



MARSHALL BROTHERS

STATION SQUARE

200 SOUTH MAIN

COMMERCIAL AND INDUSTRIAL REAL ESTATE

BOX 250 (208) 233-1121

POCATELLO, IDAHO 83204

April 18, 1989

RECEIVED

APR 19 1989

Idaho Department of Water Resources
Southern Region
2148 4th Ave East
Twin Falls, ID., 83301

Department of Water Resources
Southern Region Office

Attention: Lori White, Water Agent

Re: Heath-Marshall, Inc., Notices of Water Rights

We enclose herewith the original Notice of Claim, the SRBA Claims Receiving Checklist, four revised Notice of Claim to a Water Right, together with our check # 341 in the amount of \$139.85, and our check #349 in the amount of \$150.15 for a total of \$290.00 fees paid.

The ident. numbers on the claims we secured from the Wood River Irrigation District No. 45 and ~~their~~ records indicate that our 1886 for 1.6 CFS is listed as #37-0308, whereas your checklist indicated a #37-00234A which we can't identify. If the numbers which we used on our claims are incorrect, please advise.

We trust that the enclosed will complete our claims, however, if additional corrections are required, please advise.

Very truly yours,

Glen S. Marshall

Glen S. Marshall
Agent for Heath-Marshall, Inc.

encl - 8

MICROFILMED
FEB 22 1993