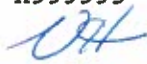


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 37-236B
Date Received: 4/20/1989
Receipt No: X999999
Received By: 

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

1. Name of Claimant(s)

WALKER SAND AND GRAVEL LTD. CO. Phone:
PO BOX 400
BELLEVUE ID USA 83313

2. Date of Priority: 06/15/1884

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	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	1.68	

7. Total Quantity Appropriated is:
1.68 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	24	NW NE	IRRIGATION	33.1
			SW NE	IRRIGATION	33.5
			NE SW	IRRIGATION	5.8
			NW SE	IRRIGATION	37.6
Section Acres					110
Total Acres					110

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: AMENDED CLAIM PER NOTICE RECEIVED 11/15/2002. CHANGED POU AND SEASON OF USE. OWNERSHIP CHANGE PER DEED SUBMITTED.

P/U CORRECTED BY ORDER, 11-27-1916.

101 ACRES IRRIGATED WITH 6.6 CLAIMED WOOD RIVER DECREE WATER.

P/D NOT GIVEN IN DECREEE BUT DETERMINED FROM WATERMASTER.

***** THIS IS A PORTION
OF A37-00236 WHICH WAS SPLIT AS THE RESULT OF AN OWNERSHIP CHANGE ON A PORTION OF THE
RIGHT. 2/24/98 jr

15. Basis of Claim: Decreed

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: **A37-00236B**

Date Received: 4/20/1989

Receipt No: X777777

Received By: ownership change
split

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIM J WALKER 208-788-4525
Address: PO BOX 400
BELLEVUE ID 83313

AND/OR

Name: JO AN S WALKER 208-788-4525
Address: PO BOX 400
BELLEVUE ID 83313

2. Date of Priority: JUN 15, 1884

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	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	1.680		

7. Total Quantity Appropriated is:
1.680 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	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	SW	NE		IRR	26.0
			NE	SW		IRR	6.0
			NW	SE		IRR	37.0
Section Acres							84.0
Total Acres							84.0

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:
A37-00235D, 00308B

14. Remarks:

P/U CORRECTED BY ORDER, 11-27-1916.

101 ACRES IRRIGATED WITH 6.6 CLAIMED WOOD RIVER DECREE WATER.

P/D NOT GIVEN IN DECREEE BUT DETERMINED FROM WATERMASTER.

THIS IS A PORTION OF A37-00236 WHICH WAS SPLIT AS THE RESULT OF
AN OWNERSHIP CHANGE ON A PORTION OF THE RIGHT. 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 7 Range 6 Section 1 1/4 of 1 1/4 of 1 1/4 Govt. Lot 1, BM.
Lot 1, Block 1, Subdivision/Townsite 1

Department of Water Resources
Southern Region

If you have additional legal descriptions, please attach separate sheet.

[] 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 A. Marshall Sec/Treas

(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 H.B.

Further Action Needed:

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

THIS INDENTURE, Made this 24 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 $\frac{1}{2}$ 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.

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.

RECEIVED

FEB 09 1995

Department of Water Resources
Southern Region

T# 4756

No. 214297

WARRANTY DEED

- TO -

Dated 19

STATE OF IDAHO,

COUNTY OF Blaine

by certify that this instrument was filed

for 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 1234 at page

Marie Jane Silva

By Hazel Barker 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

Edna J. Marshall

AT 10:05 O'CLOCK A.M.

Sept 21 A. D. 1981

RECORDED IN BOOK ON PAGE

OF Deed

MARIE IVIE

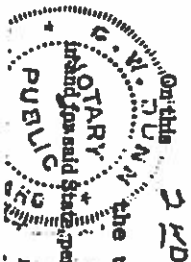
EX-OFFICIO RECORDER

BY Mary Sheen DEPUTY

FEES \$ 4.00

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

B of 1210
of scotello son



COUNTY OF Blaine

STATE OF IDAHO,

ss.

On this 24th day of July

in the year 19 71, before me

a Notary Public

Edward W. Stricker and BARBARA JEANNINE STRICKER, husband and wife

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

of the first part ha ve herunto set their hands

[Seal] [Seal] [Seal] [Seal] [Seal] [Seal] [Seal] [Seal] [Seal] [Seal]

FILED

FOR VALUE RECEIVED, Ten dollars 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 JOAN 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

John F. Heath

PRESIDENT.

ATTEST:

Glen S. Marshall

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 exe-
cuted this instrument or the persons who executed the instru-
ment 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.

Debbie Jo Rice

Notary Public

Residing at Pocatello, Idaho

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 _____

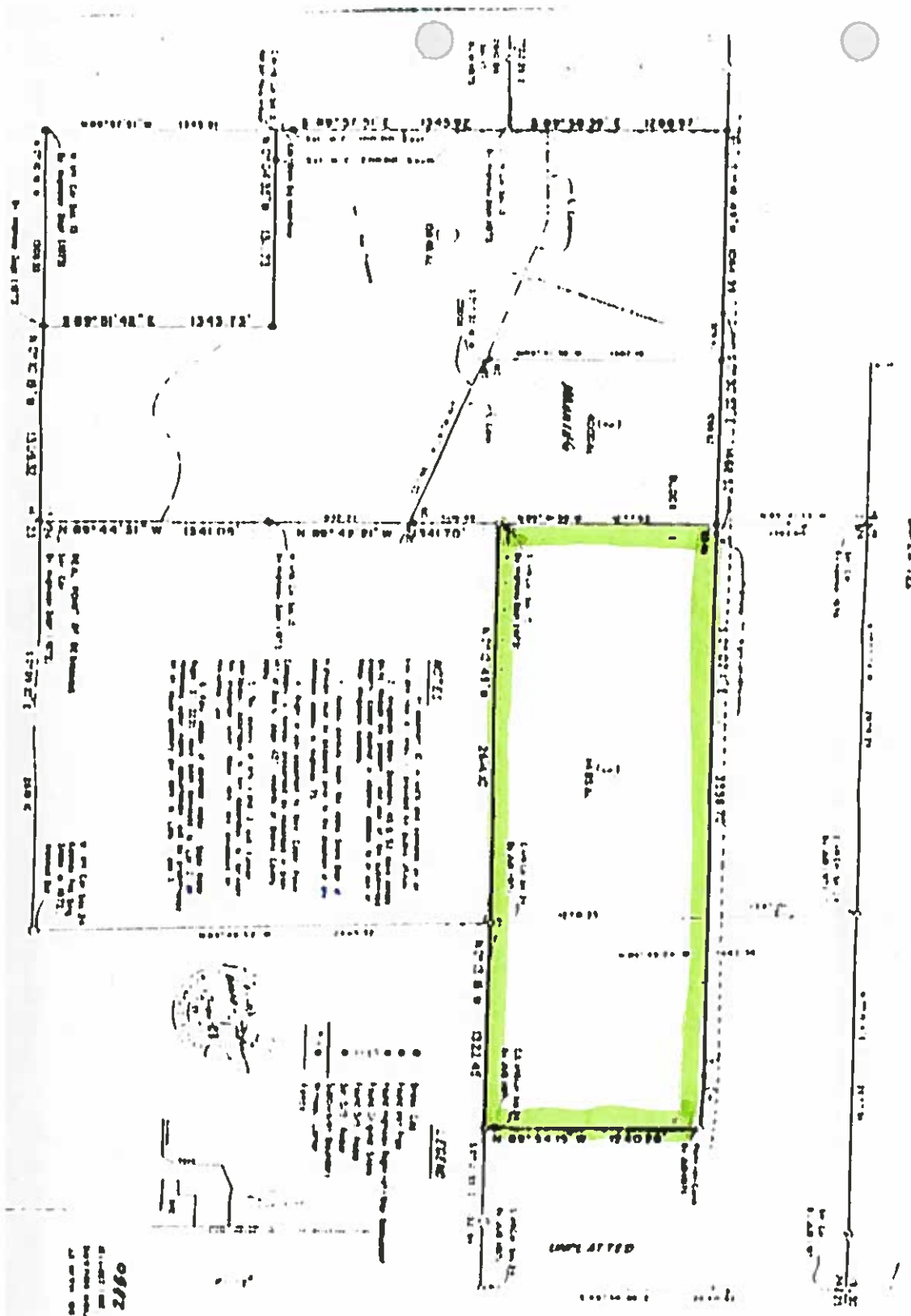
Ex-Officio Recorder

By _____

Deputy.

Fees \$
Mail to:

INSTRUMENT No.



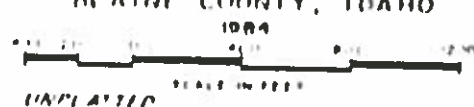
PLAT ESTATE BOOKED

107-143-2160
 MARSHALL BROTHERS
 COMMERCIAL REAL ESTATE
 120-110
 TUCATELUS BLVD. SPOKANE

PLAT SHOWING EGATE ACRES SUBDIVISION

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

BLAINE COUNTY, IDAHO



12/19/2006

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

RIGHT NUMBER: 37-236B

NAME AND ADDRESS: WALKER SAND & GRAVEL LTD CO
PO BOX 400
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.680 CFS

PRIORITY DATE: 06/15/1884

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	1.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24	NWNE	33.10	T01N R18E S24	SWNE	33.50
T01N R18E S24	NESW	5.80	T01N R18E S24	NWSE	37.60

110 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 37-235D, 37-236B, and 37-308B.

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



Idaho Department of Water Resources

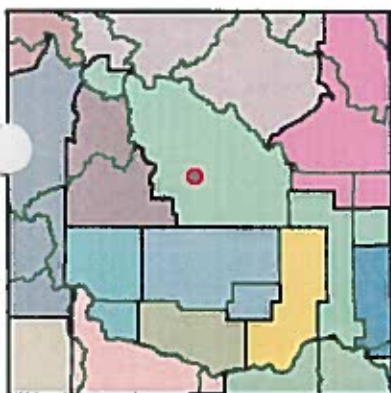
SRBA Recommendation:

37-236B

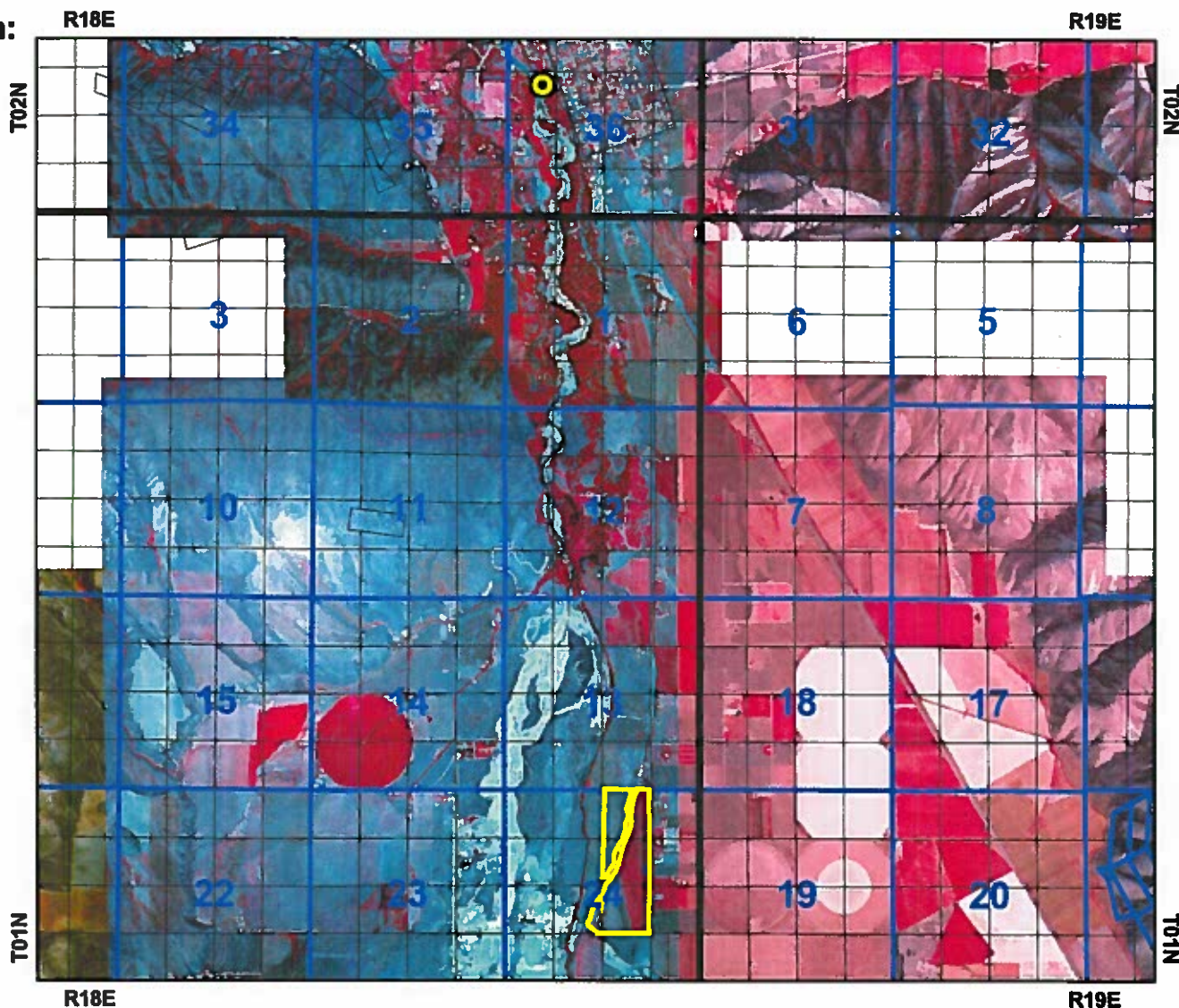
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



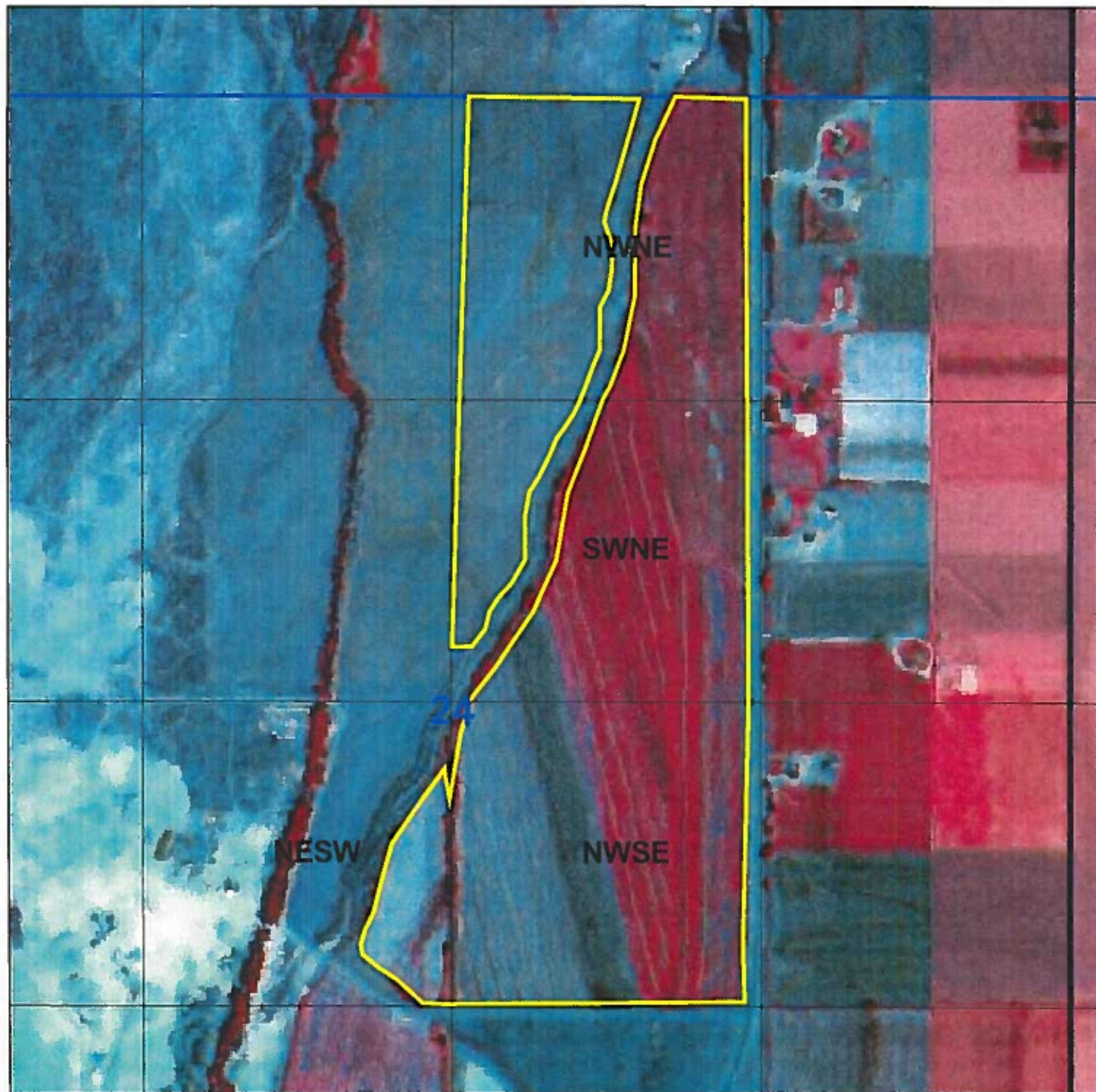
0 2 4 Miles

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

Owner: Walker Sand & Gravel Ltd Co

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

37-236B



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-236B V1

WATER RIGHT NUMBER: 37-236B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALKER SAND & GRAVEL LTD CO PO BOX 400 BELLEVUE, ID 83313 (208)-788-4893
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

Priority Date: 06/15/1884

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	1.680 CFS	
	<u>Total Diversion:</u>	1.680 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	24			33.1	33.5					5.8							37.6	110.0

Total Acres: 110

Conditions of Approval:

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 37-235D, 37-236B, and 37-308B.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-236B V1

Remarks:

Comments:

1. jroberts 11/13/2006 copied from remarks
Comment: 11/19/2002: AMENDED CLAIM PER NOTICE RECEIVED 11/15/2002. CHANGED POU AND SEASON OF USE. OWNERSHIP CHANGE PER DEED SUBMITTED.
P/U CORRECTED BY ORDER, 11-27-1916.
101 ACRES IRRIGATED WITH 6.6 CLAIMED WOOD RIVER DECREE WATER.
P/D NOT GIVEN IN DECREEE BUT DETERMINED FROM WATERMASTER.
..... THIS IS A PORTION OF A37-00236 WHICH WAS SPLIT AS
THE RESULT OF AN OWNERSHIP CHANGE ON A PORTION OF THE RIGHT. 2/24/98 jr
2. jroberts 11/13/2006 Basis of Recommendation
Comment: Standard season of use. Pou per GIS and reflects 1987 aerial photo.
3. jroberts 12/19/2006 NOE
Comment: NOE received on PoU. Changed recommendation to reflect additional irrigated acres to claimed 110 acres.

Water Supply Bank:

NOTICE OF ERROR REPLY**Water rights:****37-235D, 37-236B, and 37-308B**

Claimant: Walker Sand and Gravel Ltd. Co.
P.O. Box 400
Bellevue, ID 83313
(208) 788-4893

Prepared by Brockway Engineering, PLLC

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

Place of use

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

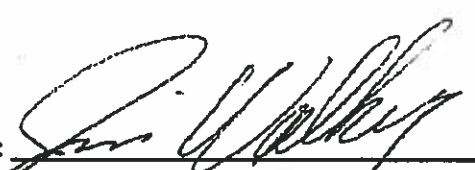
Place of use should encompass 110 acres per the historical and current usage. The place of use should include land west of the canal as shown on the aerial map submitted with amended claims filed in 2002. Acreage should be as follows (all in Section 24, T. 1 N., R. 18 E.):

NWNE	33.1 acres
SWNE	33.5 acres
NWSE	37.6 acres
NESW	5.8 acres
Total	110.0 acres

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

Recommended place of use does not include all land historically or currently irrigated. The 1987 photo shows minor evidence of irrigation, but earlier photos clearly show that all land west of the canal in above 40-acre tracts was irrigated. This land was irrigated in 2005 and 2006.

DATE: 12/8/06

SIGNATURE: 

PRINTED NAME: Jim Walker

RECEIVED
DEC 08 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

11/13/2006

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

RIGHT NUMBER: 37-236B

NAME AND ADDRESS: WALKER SAND & GRAVEL LTD CO
PO BOX 400
BELLEVUE ID 83313

WM-OK
WR-OK

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.680 CFS

PRIORITY DATE: 06/15/1884

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	1.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24	NWNE	15.00	T01N R18E S24	SWNE	27.00
T01N R18E S24	NESW	6.00	T01N R18E S24	NWSE	38.00

86 ACRES TOTAL

86

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

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



Idaho Department of Water Resources

SRBA Recommendation:

37-236B

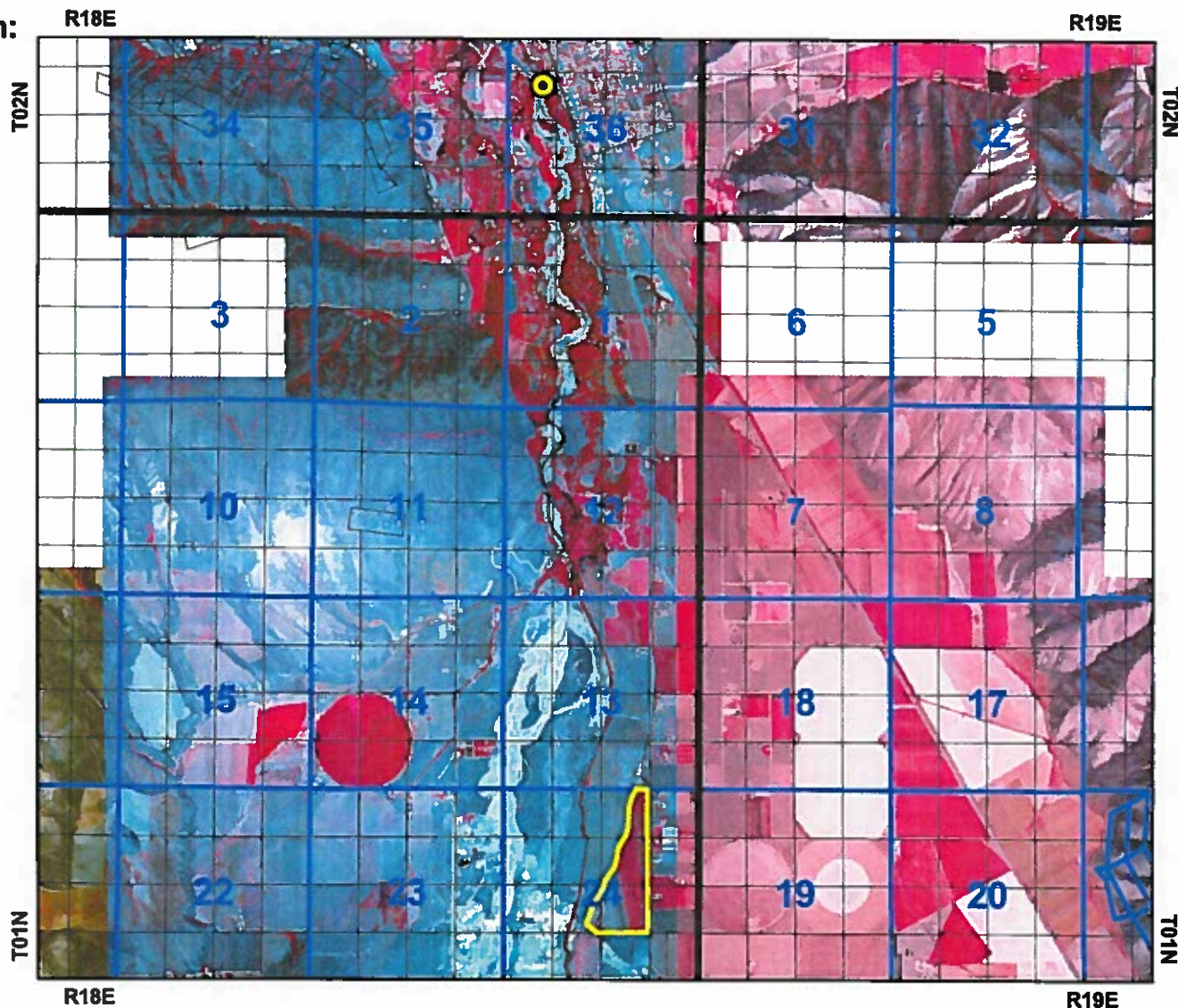
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



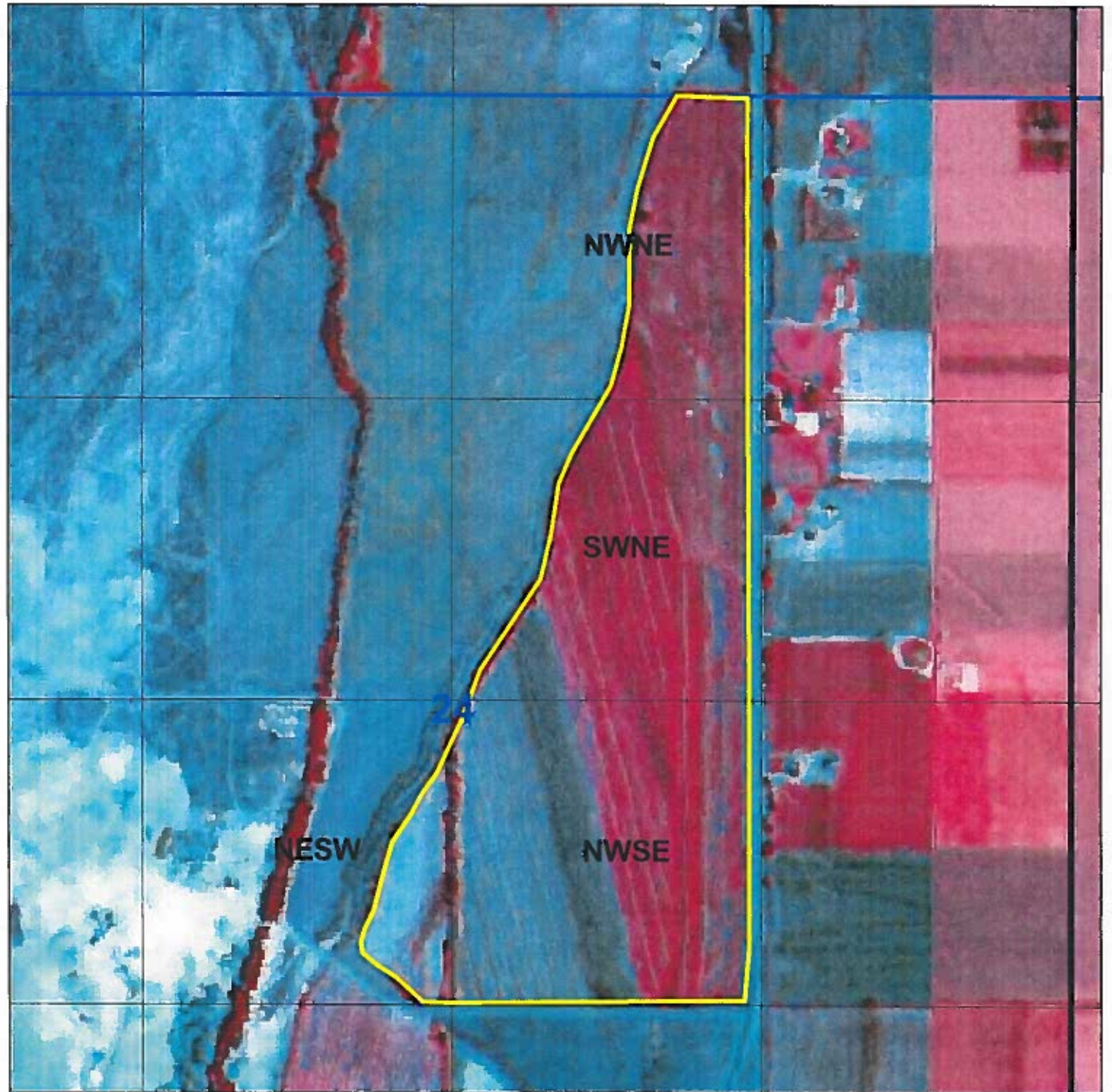
0 2 4 Miles

Prepared by J. Roberts
On Monday, November 13, 2006
1987/88 Aerial Photography

Owner: Walker Sand & Gravel Ltd Co

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

37-236B



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-236B V1

WATER RIGHT NUMBER: 37-236B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALKER SAND & GRAVEL LTD CO PO BOX 400 BELLEVUE, ID 83313 (208)-788-4893
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

Priority Date: 06/15/1884

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	1.680 CFS	
	<u>Total Diversion:</u>	1.680 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	24		15.0	27.0						6.0						38.0		86.0

Total Acres: 86

Conditions of Approval:

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 37-235D, 37-236B, and 37-308B.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-236B V1

Remarks:

Comments:

1. jroberts 11/13/2006 copied from remarks

Comment: 11/19/2002: AMENDED CLAIM PER NOTICE RECEIVED 11/15/2002. CHANGED POU AND SEASON OF USE. OWNERSHIP CHANGE PER DEED SUBMITTED.

P/U CORRECTED BY ORDER, 11-27-1916.

101 ACRES IRRIGATED WITH 6.6 CLAIMED WOOD RIVER DECREE WATER.

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

..... THIS IS A PORTION OF A37-00236 WHICH WAS SPLIT AS
THE RESULT OF AN OWNERSHIP CHANGE ON A PORTION OF THE RIGHT. 2/24/98 jr

2. jroberts 11/13/2006 Basis of Recommendation

Comment: Standard season of use. Pou per GIS and reflects 1987 aerial photo.

Water Supply Bank:

11/08/2006

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

RIGHT NUMBER: 37-236B

NAME AND ADDRESS: WALKER SAND & GRAVEL LTD CO
PO BOX 400
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.680 CFS

PRIORITY DATE: 06/15/1884

POINT OF

DIVERSION: T02N R18E S36 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NWNE 33.10

T01N R18E S24 SWNE 33.50

T01N R18E S24 NESW 5.80

T01N R18E S24 NWSE 37.60

110 ACRES TOTAL

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

P/U CORRECTED BY ORDER, 11-27-1916.

101 ACRES IRRIGATED WITH 5.6 CLAIMED WOOD RIVER DECREE
WATER.

P/D NOT GIVEN IN DECREEE BUT DETERMINED FROM WATERMASTER.

***** THIS IS A
PORTION OF A37-00236 WHICH WAS SPLIT AS THE RESULT OF AN
OWNERSHIP CHANGE ON A PORTION OF THE RIGHT. 2/24/98 jr

EXPLANATORY MATERIAL: BASIS OF CLAIM -

11/19/2002: AMENDED CLAIM PER NOTICE RECEIVED 11/15/2002.
CHANGED POU AND SEASON OF USE. OWNERSHIP CHANGE PER DEED
SUBMITTED.

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.

AMENDED Claim No. 37-236B

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 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) Walker Sand and Gravel Ltd. Co. Phone (208) 788-4525Mailing Address P.O. Box 400, Bellevue, ID Zip 833132. Date of Priority (Only one (1) per claim) 6/15/18843. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River

4. 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 1.68 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.68 (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	24		33.1	33.5						5.8					37.6			110.0

Total number of acres irrigated 110.0

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 37-235d, 37-308B 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 37-236
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 _____

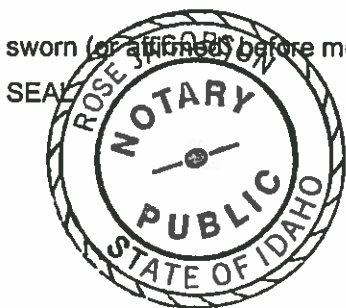
For Organizations: I do solemnly swear or affirm that I am a member
Of Walker Sand & Gravel Ltd. Co. Title _____, that I have signed the foregoing
Document in the space below as a member Title _____ of Walker Sand & Gravel Ltd. Co. Organization _____

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

Signature of Authorized Agent [Signature]
Title and Organization member, Walker Sand & Gravel Ltd. Co. Date 10/29/02

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

Subscribed and sworn (or affirmed) before me this 29 day of Oct, 2002
Notary Public [Signature]
Residing at Bellevue, Id
My Commission Expires 7-17-04



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 _____



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
Claims – south	26 unclaimd acres	\$26
<u>TOTAL</u>		<u>\$656</u>

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

Sincerely,

Charles G. Brockway, P.E.

Enc.

cc: Jim Walker

RECEIVED
NOV 15 2002
Department of Water Resources
Southern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

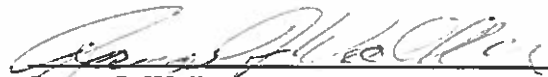
IN THE MATTER OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO

) COMMENTS AND
) EVIDENCE OF
) JAMES J. WALKER

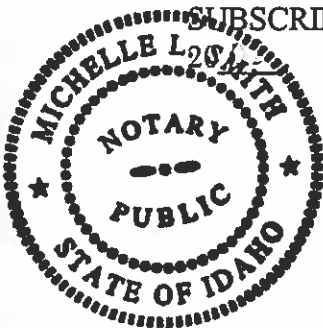
COMES NOW, Jim J. Walker of Bellevue, Idaho, and provides the following comments and evidence in this matter:

1. I acquired property in Blaine County, Idaho described as the SW1/4 Section 24, T. 1 N., R. 18 E., B.M. in 1973, as evidenced by the quitclaim deed labeled Exhibit A attached to this affidavit.
2. I deeded said property to Walker Sand and Gravel in 1994, as evidenced by quitclaim deed labeled Exhibit B attached to this affidavit.
3. The groundwater well known as the Valley Paving well was completed on June 1, 1983. The well has a 12-inch casing and is 240 feet deep. A 25 HP pump has been installed in the well since its construction.
4. The aforementioned well has been used to irrigate 24.1 acres of land in SE1/4 SW1/4 Section 24 and 0.9 acres of land in NE1/4 SW1/4 Section 24, T. 1 N., R. 18 E., B.M. beginning in the 1983 season and continuing, without a 5-year period of non-use, to the present day.
5. No other water, including surface water, has been used on the aforementioned land.

DATED this 30th day of October, 2002.


James J. Walker

SUBSCRIBED and SWORN to before me this 30th day of October,




NOTARY PUBLIC
Residing at : Hailey, ID
My Commission Expires: 11-27-08

QUITCLAIM DEED

For Value Received Galena M. Beecher, a married woman of Route 1,
Blaine, County of Twin Falls, State of Idaho

do hereby convey, release, remise and forever quit claim
unto Jimmie J. Walker, a married man of Ketchum, County of Blaine,
State of Idaho

the following described premises, to-wit:

The Southwest Quarter (SW 1/4) of Section 24,
Township 1 North, Range 18 E., B.M., Blaine
County, Idaho, as shown on the records of the
Blaine County Recorder.

together with their appurtenances.

Dated: *March 26, 1974*

Galena M. Beecher

STATE OF IDAHO, COUNTY OF Twin Falls

On this *26th* day of *March*, 1974,
before me, a notary public in and for said State, per-
sonally appeared Galena M. Beecher

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Alta Gannon

Notary Public

Residing at Twin Falls, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument

Blaine Co.
Recorder
7 DEC 18 PM 4 16
DEPUTY
Fees & Gov

291067

Mail to:

EXHIBIT
B

QUITCLAIM DEED

For Value Received

Jimmie J. Walker

do hereby convey, release, remise and forever quitclaim unto

Walker Sand and Gravel Ltd. Co.
whose current address is

/ P.O. Box 400, 10716 Hwy. 75, Bellevue, ID 83313
the following described premises, to-wit:

TOWNSHIP 1 NORTH, RANGE 18 EAST, B.M. BLAINE COUNTY, IDAHO
SW 1/4 SEC. 24

BLAINE CO. REQUEST

OF J.J. Walker

1994 DEC -6 P 3 34

313619

Mary Green CLERK *mo*

FEES \$ 3.00

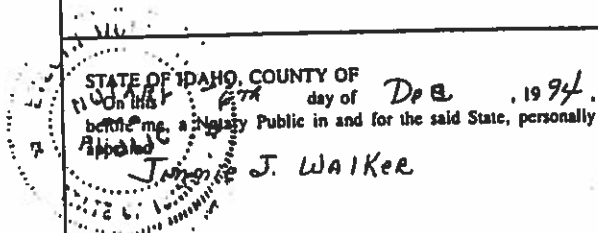
together with their appurtenances.

Dated:

12/6/94

12

Jimmie J. Walker



known to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
executed the same.

Richard J. Walker
Notary Public,
Idaho

Residing at Richfield
Comm. Expires 11-15-2000

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 _____

By _____ Ex-Officio Recorder

By _____ Depury.

Fees \$
Mail to:

INSTRUMENT NO.

For Value Received

Jim J. Walker and Jo An S. Walker

do hereby convey, release, remise and forever quitclaim unto

/ Walker Sand and Gravel Ltd. Co.

whose current address is

/ P.O. Box 400, 10716 Hwy. 75, Bellevue, ID 83313
the following described premises, to-wit:

Lot 3, Aggregate Acres Subdivision,
Blaine County, Idaho

BLAINE CO. REQUEST

OF J. J. WALKER

1994 DEC -6 P. 3:36

373621

Mary Green, CLERK *md*

Deed

FEES \$ 3.00

together with their appurtenances.

Dated:

12/6/94

12/6/94

Jim J. Walker
Jo An S. Walker

STATE OF IDAHO, COUNTY OF
On this 6th day of Dec, 1994,
before me, a Notary Public in and for the said State, personally
appeared JIM J. WALKER
JOAN S. WALKER

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
executed the same.

Evelyn Silverton

Notary Public,
Idaho

Residing at Richfield
Comm. Expires 11-15-2000

STATE OF IDAHO, COUNTY OF

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

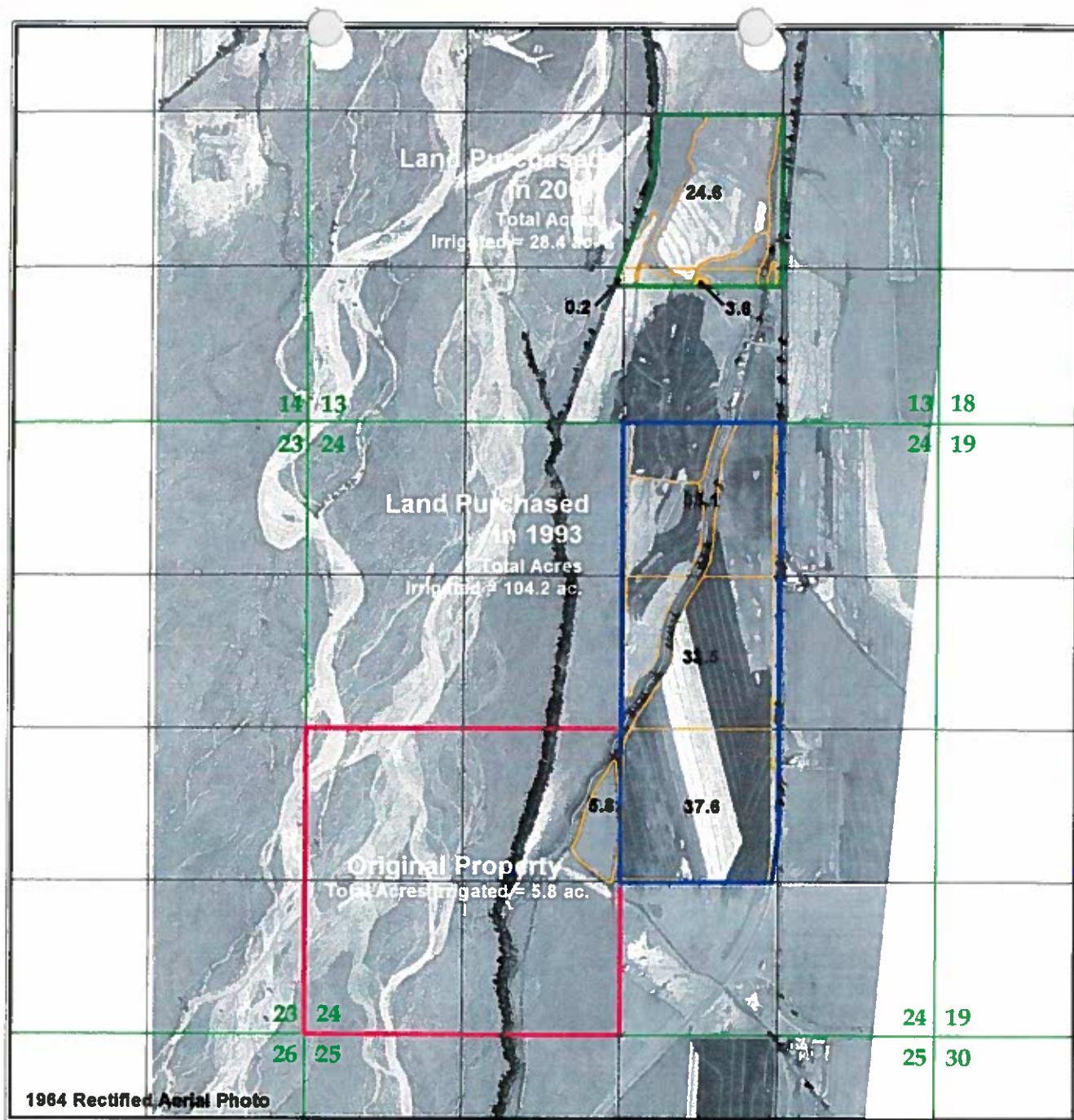
at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.



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



Idaho Department of Water Resources Receipt

Receipt ID S025319

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

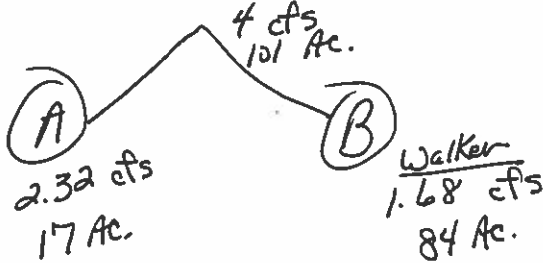
Amount	Description	Fund	FD	PCA	SO
\$370.00	PERMITS	0229	21	64103	1155
\$250.00	PERMITS	0229	21	64103	1155
\$36.00	ADJUDICATION FILING FEE	0337		44503	1155



Signature Line (Dept. Representative)

SD-0611-2 Basin: 37 Starting Water Right: 00236

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	37-00236	FOSTER, PETER	C	06/15/1884	D/	BIG WOOD RIVER	IRR	WR
	A37-00236	HEATH MARSHALL INC	C	06/15/1884	D/	BIG WOOD RIVER	IRR	AJ



(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

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JIM J AND JO AN S WALKER
PO BOX 400
BELLEVUE ID 83313

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

DEAR CLAIMANT:

Pursuant to the notification that you purchased 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 A37-00235D, A37-00236B, and A37-00308B. Please find enclosed copies of the computer generated claims noting the changes.

Please review the records and if you have any corrections, notify this office. Past correspondence from Jim Stanton in the files indicates the claims may not reflect the correct Place of Use. If you feel that the 84 irrigated acres as described in the Place of Use are not correct you may need to amend the claim. There is no charge to amend your claims and this can be done through the office or by mail. If you have any questions or need any further assistance, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:



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

SEP 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JIM & JO AN WALKER
PO BOX 400
BELLEVUE ID 83313

RE: OWNERSHIP CHANGE FOR HEATH-MARSHALL

DEAR MR. & MS. WALKER:

I FIRST MUST APOLOGIZE FOR THE DELAY IN REVIEWING THIS OWNERSHIP CHANGE. I HAVE REVIEWED IT AND ADDITIONAL INFORMATION WILL BE NEEDED.

I WILL NEED A MAP SHOWING WHERE YOUR PROPERTY IS LOCATED. I WILL ALSO NEED YOUR SIGNATURES ON THE O/C FORM. I AM KEEPING A COPY OF THE INFORMATION SENT AND RETURNING THE ORIGINALS.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT THIS OFFICE. SORRY FOR THE INCONVENIENCE.

SINCERELY,

TARA L. BACKLUND
ADJUDICATION RECORDS CLERK



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

July 14, 1997

Jim J Walker
PO Box 400
Bellevue, ID
83313

RE: Water Rights 37-00235A Part, 00236 Part, 00308 Part

Dear Mr. Walker;

We previously discussed these water rights in connection with the now-withdrawn Heath-Marshall Inc. water transfer. At the time, I mentioned that you had not filed the required Snake River Basin Adjudication claims. I still find no record of irrigation claims in your name. You can continue to irrigate without filing claims until such time as these rights are re-decreed in the SRBA. Once that occurs, you will no longer receive irrigation water from the District 37 watermaster. Portions of these rights have been claimed by Heath-Marshall, but were not claimed on the lands to which the rights were originally decreed. So there is some confusion as to what the actual place of use is. I have a copy of the deed from Heath-Marshall to you conveying land and water in 1993. If other lands have been irrigated instead of the claimed lands, you can put portions of the existing claims in your name and then can amend the claims to show the proper place of use.

I am not an SRBA agent, but there are several agents in this office that can assist you in this matter. I urge you to take the necessary steps to straighten things out at this time. As I said before, your water rights will eventually be lost if they are not claimed in the SRBA. And there is a cloud over your existing water usage, which could affect farm loans, etc. Copies of these rights and claims are included for your information.

Regards,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

INTER-DEPARTMENT MEMO

AMENDED CLAIMS

TO: DOUG JONES / JIM STANTONSUBJECT: A37-00236, -308
-235AFROM: STEVE CHELHARDDATE: 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:

- 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

(X) For your information

To show good cause?

signature

() Response required

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

MICROFILMED
NOV 27 1996

2/16/97
 permission to
 and not re-
 use docu-
 had second
 and notice.