

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

RIGHT NUMBER: 74-733H

NAME AND ADDRESS: LEEANN WALKER
569 HWY 28
SALMON ID 83467

ROCKIE L WALKER
569 HWY 28
SALMON ID 83467

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/04/1893

POINT OF
DIVERSION:

T21N R23E S30 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.040 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T21N R23E S30

SENW 1.40

1.4 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

July 15, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROCKIE WALKER
LEE ANN WALKER
569 HWY 28
SALMON ID 83467

Re: Snake River Basin Adjudication (SRBA)
Late Notice of Claim to a Water Right No. 74-733H

Dear Rockie & LeeAnn:

The Notice of Claim you filed has been received from the SRBA Court . I have enclosed Receipt No. C092579 for the filing fees you paid. Please retain the receipt for your records.

The Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. If you have any questions, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section

LH:l
Enclosure

WARRANTY DEED POOR ORIGINAL

Copy

For Value Received

ELMER PETERS and OHNA L. PETERS, husband and wife.

the grantors, do hereby grant, bargain, sell and convey unto
TOM CURET and KATHLEEN M. CURET, husband and wife.

the grantees, the following described premises, in Lemhi County Idaho, to wit:

A PARCEL OF LAND LOCATED IN THE W $\frac{1}{2}$, SECTION 30, T., 21 N., RANGE 23 E.,
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH $\frac{1}{4}$ CORNER OF SAID SECTION 30 RUN THENCE N.07°11'
56" W., A DISTANCE OF 3,182.05 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-
WAY OF HIGHWAY 28 THE POINT OF BEGINNING;
THENCE S.35°37'40" W., A DISTANCE OF 722.06 FEET;
THENCE N.47°36'00" W., A DISTANCE OF 95.63 FEET;
THENCE N.09°36'00" E., A DISTANCE OF 278.00 FEET;
THENCE N.59°20'00" W., A DISTANCE OF 579.00 FEET;
THENCE N.00°22'50" W., A DISTANCE OF 20.07 FEET;
THENCE N.35°24'22" E., A DISTANCE OF 495.23 FEET, TO A POINT ON THE
SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 808.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH WATER, WATER RIGHTS, DITCHES, DITCH RIGHTS APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owners in fee simple of said premises; that they
are free from all incumbrances except accruing 1993 property taxes.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 5, 1993

Elmer Peters
ELMER PETERS

OHNA L. PETERS
Ohna L. Peters

STATE OF IDAHO, COUNTY OF LEMHI
On this 5th day of October, 19 93,
before me, a notary public in and for said State, personally appeared ELMER & OHNA L. PETERS

known to me to be the persons whose names are
subscribed to the within instrument and acknowledged
to me that they executed the same.

Quinn D. Robie
Notary Public
Residing at SALMON, Idaho
Comm. Expires 10-6-99

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.

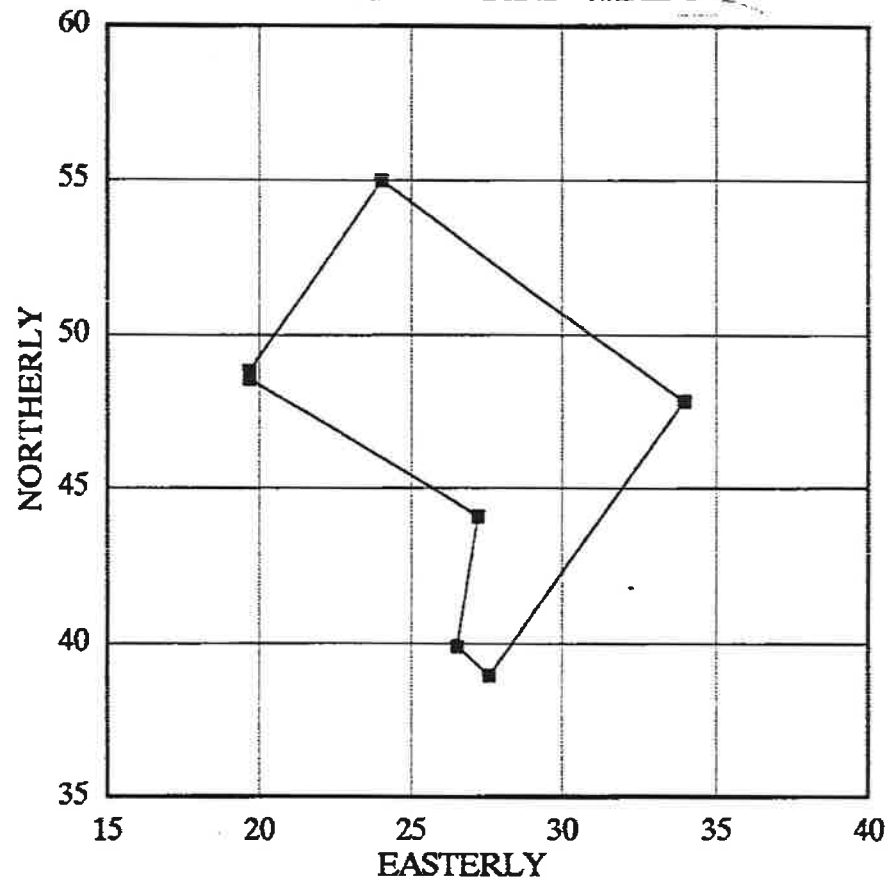
LEMHI TITLE & ABSTRACT -- SALMON, IDAHO

RECORDED

OCT 10 1993

POOR ORIGINAL

METES & BOUNDS POLAR LOCATION PLOT
DISTANCES ARE IN CHAINS



25.6

271 Dots

271 Dots

BOCKELMAN
(Warpole)

NE 1/4

A fraction of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Southwest Section corner of said Section 30 a distance of 2,517.19 feet on a bearing of N. 89° 23' 36" E. to the South Quarter Corner of Section 30;

Thence N. 0° 17' 32" W., 2,260.19 feet along the East boundary of the SW $\frac{1}{4}$ to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING, a distance of 480.04 feet on a bearing of N. 88° 45' 00" W.;

Thence N. 47° 36' W., 323.74 feet;

Thence N. 35° 37' 40" E., 736.25 feet to a point on the Southerly R. O. W. of State Highway No. 28;

Thence S. 54° 22' 20" E., 904.03 feet along said R. O. W.;

Thence S. 55° 56' 34" W., 536.76 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Southwest Section Corner of said Section 30, a distance of 2,517.19 feet on a bearing of N. 89° 23' 36" E. to the South Quarter Corner of Section 30; Thence N. 0° 17' 32" W., 2,260.19 feet along the East boundary of the SW $\frac{1}{4}$ to the REAL POINT OF BEGINNING.

Thence N. 88° 45' 00" W., 480.04 feet;

Thence N. 47° 36' 00" W., 323.74 feet;

Thence N. 35° 37' 40" E., 736.25 feet to a point on the Southerly R. O. W. of State Highway No. 28;

Thence S. 54° 22' 20" E., 348.90 feet along said R. O. W.;

Thence S. 35° 27' 10" W., 249.63 feet;

Thence S. 21° 25' 53" E., 174.18 feet;

Thence S. 18° 44' 15" E., 272.95 feet to the REAL POINT OF BEGINNING.

Subject to a R. O. W. and easement for the use of and benefit of Elmer Peters and Ohna Peters for the purpose of cleaning, maintaining and regulating the operation of the present irrigation system thereon.

RECORDED

NOV 15 1930

RECEIVED

OCT 25 1993

WARRANTY DEED

Department of Water Resources
Eastern District Office

FOR VALUE RECEIVED, CARL D. RAMBO, the Grantor, does hereby grant, bargain, sell and convey unto TAYLOR F. WARPOLE and FERN J. WARPOLE, husband and wife, whose current address is 710 Sharkey, Salmon, Idaho 83467, the Grantees, the following described premises, in Lemhi County, Idaho, to-wit:

A fraction of the SW4NE4, NW4SE4NE4SW4, and the SE4NW4, Section 30, T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Southwest Section corner of said Section 30 a distance of 2517.19 feet on a bearing of N. 89°23'36" E. to the south quarter corner of Section 30;

Thence N. 0°17'32" W., 2260.19 feet along the east boundary of the SW4 to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING a distance of 480.04 feet on a bearing of N. 88°45'00" W.;

Thence N. 47°36' W., 323.74 feet;

Thence N. 35°37'40" E., 736.25 feet to a point on the southerly R.O.W. of State Highway No. 28;

Thence S. 54°22'20" E., 904.03 feet along said R.O.W.;

Thence S. 55°56'34" W., 536.76 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

A parcel of land located in the SE4NW4 and the NE4NW4 of Section 30, T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Southwest Section Corner of said Section 30, a distance of 2517.19 feet on a bearing of N. 89°23'36" E. to the South 1/4 corner of Section 30; Thence N. 0°17'32" W., 2260.19 feet along the east boundary of the SW4 to the REAL POINT OF BEGINNING.

Thence N. 88°45'00" W., 480.04 feet;

Thence N. 47°36'00" W., 323.74 feet;

Thence N. 35°37'40" E., 736.25 feet to a point on the Southerly R.O.W. of State Highway No. 28;

MICROFILMED

APR 19 1994

Thence S. 54°22'20" E., 348.90 feet along
said R.O.W.;
Thence S. 35°27'10" W., 249.63 feet;
Thence S. 21°25'53" E., 174.18 feet;
Thence S. 18°44'15" E., 272.95 feet to the
REAL POINT OF BEGINNING.

Subject to a R.O.W. and easement for the use of
and benefit of Elmer Peters and Ohna Peters for
the purpose of cleaning, maintaining and regulat-
ing the operation of the present irrigation sys-
tem thereon.

TO HAVE AND TO HOLD the said premises, with their appurten-
ances unto the said Grantees, their heirs and assigns forever.
And the said Grantor does hereby covenant to and with the said
Grantees, that he is the owner in fee simple of said premises;
that they are free from all encumbrances and that he will war-
rant and defend the same from all lawful claims whatsoever.

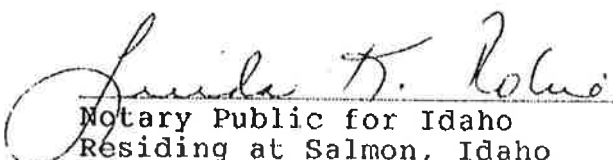
DATED: 11-23, 1992.


Carl D. Rambo

NOTARY PUBLIC
STATE OF IDAHO)
County of Lemhi) SS

On this 23 day of November, 1992, before me,
the undersigned, a Notary Public in and for said State, person-
ally appeared CARL D. RAMBO, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he executed the same.

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

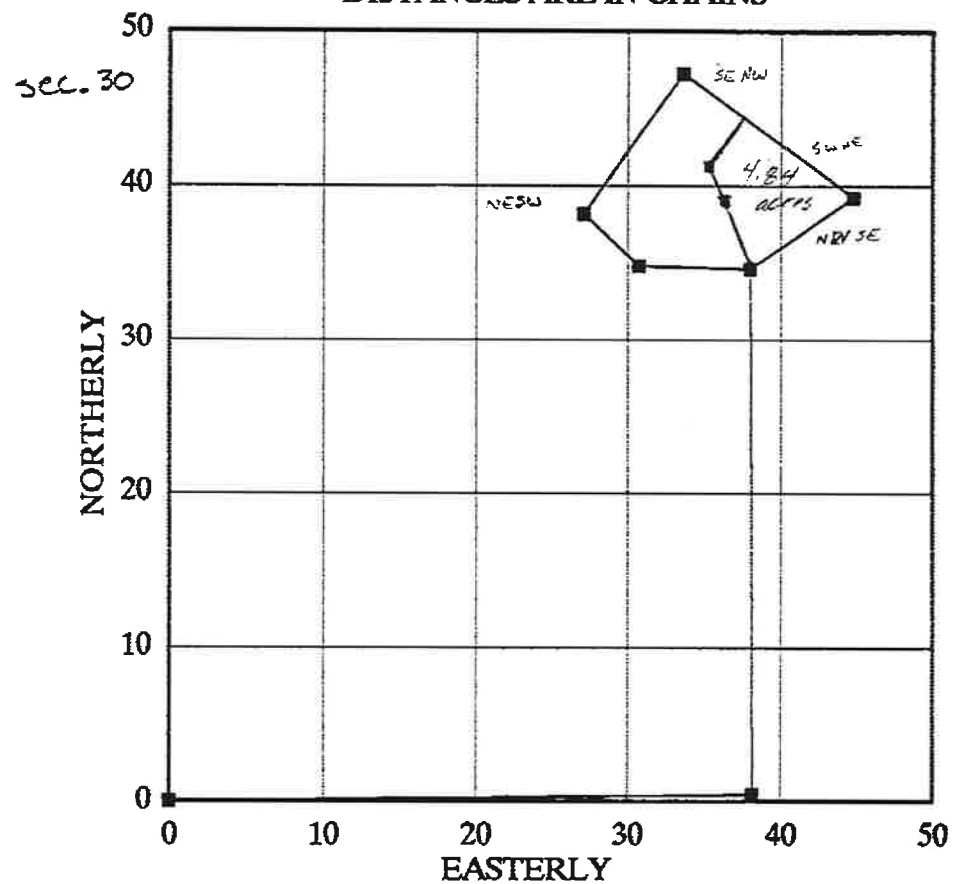

Notary Public for Idaho
Residing at Salmon, Idaho
Commission: 10-6-93

MICROFILMED

APR 19 1994

POOR ORIGINAL

METES & BOUNDS POLAR LOCATION PLOT
DISTANCES ARE IN CHAINS



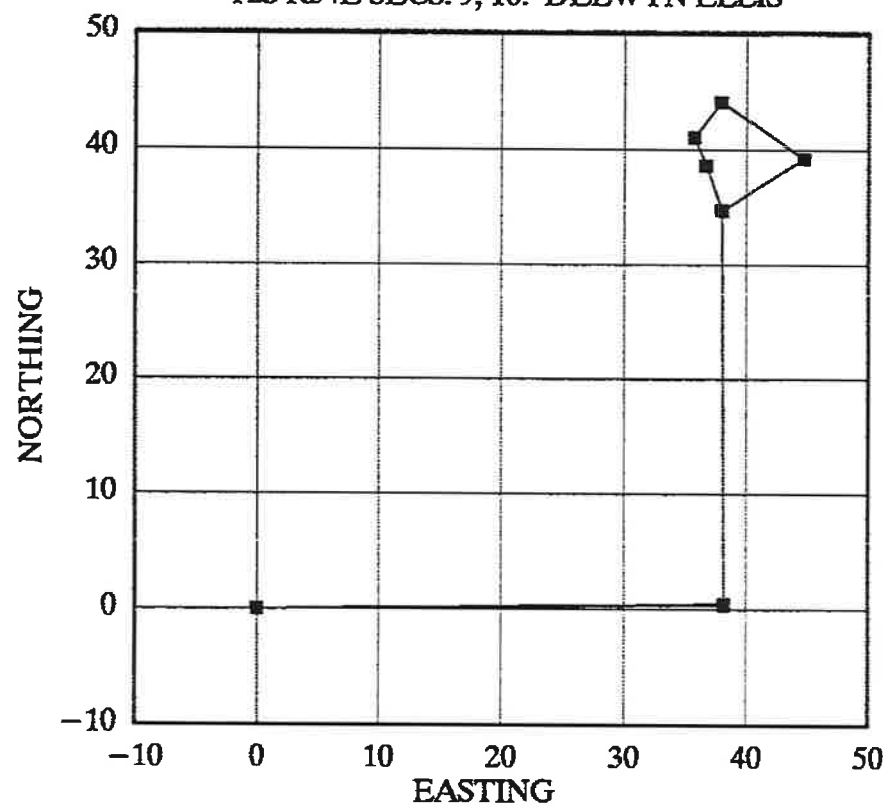
T
Z
N
R23E

MICROFILMED
APR 19 1994

ENCLOSURE
NOV 15 1993

PROPERTY BOUNDARY FROM SURVEY

T2S R34E SECS. 9, 16: DELWYN ELLIS



Distances in chains
ESV, 12/23/93

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
0.00	0.00						
38.14	0.40	89.00	23.00	36.00	NE	2517.19	0.77
37.96	34.65	0.00	17.00	32.00	NW	2260.19	131.07
36.63	38.57	18.00	44.00	15.00	NW	272.95	145.68
35.67	41.02	21.00	25.00	53.00	NW	174.18	154.56
37.86	44.10	35.00	27.00	10.00	NE	249.63	165.89
44.70	39.20	54.00	22.00	20.00	SE	555.40	145.65
37.97	34.65	55.00	56.00	34.00	SW	536.76	126.82
38.14	0.40	0.00	17.00	32.00	SE	2260.19	3.49
0.00	-0.00	89.00	23.00	36.00	SW	2517.19	4.26

NOV 15 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 74-733H
Date Received: 3/11/2011
Receipt No: C092579
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEEANN WALKER Phone: (208) 756-2167
569 HWY 28
SALMON ID USA 83467

ROCKIE L WALKER Phone:
569 HWY 28
SALMON ID USA 83467

2. Date of Priority: 10/04/1893

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	23E	30	NW SE	LEMHI	

5. Description of diverting works:

Diversion is a head gate with ditches to property. Acreage is flood irrigated.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	

7. Total Quantity Appropriated is:
0.04 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
21N	23E	30	SE	NW	IRRIGATION	1.4
Section Acres						1.4
Total Acres						1.4

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

Water Right 74-733 was split several times but not all was claimed in the SRBA. The above referenced parcel was inadvertently unclaimed. When the acres were purchased by the Walkers, it was their understanding that a water right covered the land. While processing a change of ownership, IDWR staff determined that this parcel was not claimed. The Walkers wish to claim the water they thought was already theirs.

15. Basis of Claim: Decreed

MAR 11 2011

**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 74-433H

Date Received: _____

Receipt No: _____

Received By: _____

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

Please type or print clearly

1. Name of Claimant (s) Rockie and LeeAnn Walker Phone (208) _____

Mailing Address 569 HWY 28 Salmon Id ZIP 83467

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) 10/04/1893
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Lemhi River

which is tributary to (b) Salmon River

4. a. Location of Point of Diversion is: Township 21N, Range 23E, Section 30,
_____, 1/4 of NW, 1/4 Govt. Lot SE, BM., County of LEMHI

Parcel (PIN) no. RP21N23E304802

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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

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

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. _____

Diversion is a head gate with ditches to property
Acresage is flood irrigated.

SCANNED

JUN 23 2011

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.04 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) (acre feet)

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

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	30								1.4									1.4

Parcel (PIN) no(s) RP21N23E304802

Total number of acres irrigated 1.4

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

or None (✓)

13. Remarks:

Water right 74-733 was split several times but not all was claimed in the SRBA. The above referenced parcel was inadvertently unclaimed. When the acres were purchased by the Walker's, it was their understanding that a water right covered the land. While processing a change of ownership, IDWR staff determined that this parcel was not claimed. The Walker's wish to claim the water they thought was already theirs.

Last Name WALKER

Identification No.

SCANNED

JUN 23 2011

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 74-733/ Lemhi Decree

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

X Signature of Claimant (s) Rock & Walk Date: 2-25-2011

X Ann Walker Date: 2-25-2011

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

SCANNED
JUN 23 2011

Water Right 74-733

Was split several time

Some of the deeded acres were never claimed.



SCANNED

JUN 23 2011

RECEIVED

JUN 23 2011

DEPARTMENT OF
WATER RESOURCES

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

JUN 22 2011

By _____

Clerk
Deputy Clerk

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

In Re SRBA

Subcase: 74-00733H

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On March 11, 2011, Rockie and LeeAnn Walker filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on June 21, 2011. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Claimant states late claim fees were paid directly to IDWR. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: June 22, 2011.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

SCANNED

JUN 23 2011

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on June 22, 2011, with sufficient first-class postage to the following:

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

LEEANN WALKER
ROCKIE WALKER
569 HWY 28
SALMON, ID 83467
Phone: 208-756-2167

SCANNED
JUN 23 2011

ORDER

Page 1 6/22/11

FILE COPY FOR 00923

Deputy Clerk

Julie Murphy

6-21-11
Hearing

RECEIVED

MAR 14 2011

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Claim is Complete)

Fees OK.)

Case 39576

C. S.)

4-22-11)

Subcase

74-733H

(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Rockie LeWayne Walker

My address is 589 Hwy 28, Salinas ID 83467

My phone number is: Work 208-256-2612 Home 208-256-2167

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

we thought previous owner filed.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

☒ A fully completed Notice of Claim (available from IDWR).

☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 101.2.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☐ I must amend my Notice of Claim to the use of water in the SRBA because:

SCANNED
MAR 16 2011

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

SCANNED
MAR 16 2011

VERIFICATION (Must be completed)

State of IDAHO

County of LEMHI

Rockie M Walker, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

[Signature]
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on FEB 25, 2011
(Insert Date)



[Signature]
Notary Public for IDAHO
Residing at: JEFF SALMON, LEMHI CO IDAHO
My Commission expires: 11-28-2012

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

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CERTIFICATE OF MAILING

I certify that on Feb 28, 19911, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

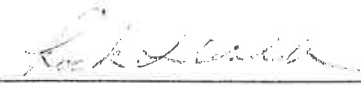
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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MAR 16 2011

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 74-733 H

Date Received: 3/14/2011

Receipt No: 092579

Received By: SR7

\$101-

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Rockie and LeeAnn Walker Phone (208) _____

Mailing Address 569 HWY 28 Salmon Id ZIP 83467
Street or Box City State

2. Date of Priority (Only one (1) per claim) 10/04/1893
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Lemhi River
which is tributary to (b) Salmon River

4. a. Location of Point of Diversion is: Township 21N, Range 23E, Section 30,
_____, 1/4 of NW, 1/4 Govt. Lot SE, BM., County of LEMHI

Parcel (PIN) no. RP21N23E304802

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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

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

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. _____

Diversion is a head gate with ditches to property.
Acres are flood irrigated.

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.04 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) (acre feet)

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

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	30								1.4									1.4

Parcel (PIN) no(s) RP21N23E304802

Total number of acres irrigated 1.4

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

or None (✓)

13. Remarks:

Water right 74-733 was split several times but not all was claimed in the SRBA. The above referenced parcel was inadvertently unclaimed. When the acres were purchased by the Walker's, it was their understanding that a water right covered the land. While processing a change of ownership, IDWR staff determined that this parcel was not claimed. The Walker's wish to claim the water they thought was already theirs.

Last Name WALKER

Identification No.

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14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 74-733/ Lemhi Decree

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

X Signature of Claimant (s) Robert L. Walsh Date: 2-25-2011

X Ann Walsh Date: 2-25-2011

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

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MAR 16 2011

Water Right 74-733

Was split several time

Some of the deeded acres were never claimed.

