

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 22-11185

Date Received:  
Receipt Nos:  
Received By:

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

Name of Claimant MONA WALTERS  
PATRICE WALTERS  
SHAWN J WALTERS  
W JEFFREY WALTERS  
PO BOX 156  
NEWDALE, ID 83436  
(208)458-4656

Priority Date: 06/01/1900  
Basis: Decreed/License  
Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.12 CFS              | 84 AFA        |
| Total Diversion       |             |           | 0.12 CFS              |               |

Location of Point(s) of Diversion:

GROUND  
WATER                      NESESE Sec. 36      Township 07N      Range 41E      FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 41E          | 1              | 1          | NENE         | 35           | 2          | NWNE         | 24           |            |              |              |            |              |              |
|                 | 42E          | 6              | 4          | NWNW         | 34           |            |              |              |            |              |              |            |              |              |
| 07N             | 41E          | 36             |            | NENE         | 39           |            | NWNE         | 39           |            | SWNE         | 39           |            | SENE         | 39           |
|                 |              |                |            | NENW         | 39           |            | NWNW         | 39           |            | SWNW         | 39           |            | SENW         | 39           |
|                 |              |                |            | NESW         | 34           |            | NWSW         | 30           |            | SESW         | 9.3          |            |              |              |
|                 |              |                |            | NESE         | 39           |            | NWSE         | 39           |            | SWSE         | 38           |            | SESE         | 37           |
|                 | 42E          | 31             | 3          | NWSW         | 39           | 4          | SWSW         | 38           |            |              |              |            |              |              |

Total Acres: 708.3

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

This right is for an enlargement of 24.0 acres within the place of use described for this 1. K09 right.

This right is based upon an enlargement of Right No. 22-2287 pursuant to Section 42-2. K02 1426, Idaho Code.

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As 3. C11 between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior 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  
4. C18 determined by the Court at a point in time no later than the entry of a final unified decree.  
Section 42-1412(6), Idaho Code.

The following rights are also diverted through point of diversion described above: 22-  
5. F06 2222, 22-2287, 22-11185, 22-13475.

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a  
6. E56 single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475.

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined  
7. E60 diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

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

Basis of Claim: Decreed/License

Signature(s)

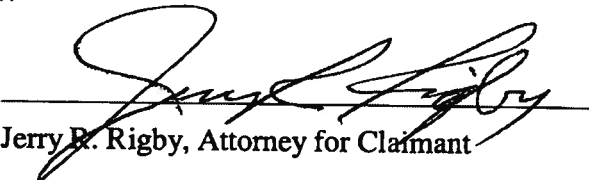
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form  
entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do  
\_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket  
sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

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

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

  
Jerry R. Rigby, Attorney for Claimant

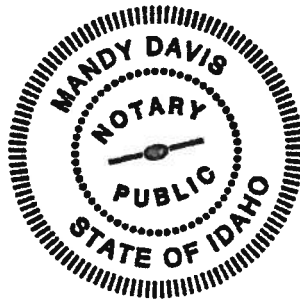
STATE OF IDAHO, )

ss.

County of Madison. )

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

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



Mandy Davis  
Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011