

RECEIVED

MAR 26 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Form 42-248/42-1409(6) 12/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DE

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 41-04031			41-10246		
PD 41-04028			PD 41-10098		
Lic 41-07067					
PD 41-10238					
PD 41-10239					
PD 41-10246					

2. The following **REQUIRED** information must be submitted with this form:



The appropriate **FILING FEE**. See instructions for fee amounts.

A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):

PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Merrill E. Walker

Donna D. Walker

4. New Owner/Claimant(s)

PLA Mar ARMSTRONG REVOCABLE LIVING TRUST; RUSSELL + CHRISTINE ARMSTRONG

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

617 POOLE

City, State and ZIP Code

POCATELLO, ID

New Telephone Number

(208) 251-1221 or 208/237-7562

SUPPORT DATA

IN FILE # 41-4028

5. Date you acquired the property

15 January 2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

X

Signature(s) of New Owner(s) or Claimant(s)

R. L. May, Administrator Trust
(title if applicable)
Christina Armstrong
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by AJ

Date 3/26/08
 Date 4/2/08
 Date _____

Receipt Amt. \$175
 Receipt No. 5030102 5030101
 WR _____ Date _____

Instrument # 193236
POWER COUNTY, IDAHO
2008-01-15 04:42:05 No. of Pages: 3
Recorded for: PIONEER TITLE
CHRISTINE STEINLUCHT Fee: 9.00
Ex-Officio Recorder Deputy *Christine Steinlucht*

Order No. 20071884 SC LT

WARRANTY DEED

For Value Received

Bate
CF
Merrill E. Walker and Donna D. Walker, also shown as Merrill Walker and Donna Walker and Donna Dean Walker, husband and wife as to parcel #1 and Brent J. Walker and Kathy Ann Walker, husband and wife as to Parcel #2

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
The Lamar Armstrong Revocable Living Trust and Russell Armstrong and Christine Armstrong, husband and wife

hereinafter referred to as Grantee, whose current address is 617 Poole St. Pocatello ID 83201, the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 15, 2008

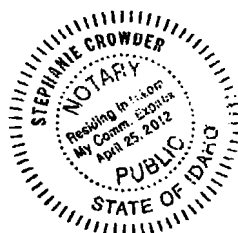
Merrill E. Walker
Merrill E. Walker
Brent J. Walker
Brent J. Walker

Donna D. Walker
Donna D. Walker
Kathy Ann Walker
Kathy Ann Walker

STATE OF IDAHO

COUNTY OF BANNOCK

On this 15 day of January, in the year of 2008, before me Stephanie Crowder, notary public personally appeared Merrill E. Walker and Donna D. Walker, Brent J. Walker and Kathy Ann Walker, known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Stephanie Crowder
Stephanie Crowder
Notary Public of Idaho
Residing at INKOM
Commission expires: April 25, 2012

EXHIBIT A

PARCEL 1:

SE1/4NW1/4 of Section 25, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

W1/2NE1/4 and E1/2NW1/4 and NW1/4NW1/4 of Section 26, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

SE1/4SW1/4 and SW1/4SW1/4 of Section 26, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at the Northwest corner of the SW1/4SW1/4 of Section 26, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence South along the West line of said Section 26 a distance of 575 feet, more or less, to an existing fence in the bottom of the draw; thence Northeasterly along said fence to a point on the East line of said SW1/4SW1/4 that is 150 feet South of the Northeast corner of said SW1/4SW1/4; thence North 150 feet, more or less, to said Northeast corner; thence West along the North line of said SW1/4SW1/4 a distance of 1320 feet to the POINT OF BEGINNING

W1/2NW1/4 and SE1/4SE1/4 of Section 27, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at the Northeast corner of the SE1/4SE1/4 of Section 27, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence South along the East line of said Section 27 a distance of 575 feet, more or less, to an existing fence in the bottom of the draw; thence Southwesterly along said fence to a point on the West line of said SE1/4SE1/4 that is 1107 feet South of the Northwest corner of said SE1/4SE1/4; thence North along said West line 1107 feet, more or less, to said Northwest corner; thence East along the North line of said SE1/4SE1/4 a distance of 1320 feet, more or less, to the POINT OF BEGINNING

SW1/4SE1/4 Section 27, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at the Northeast corner of the SW1/4SE1/4 of Section 27, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence South along the East line of said SW1/4SE1/4 a distance of 1107 feet, more or less, to an existing fence in the bottom of the draw; thence Westerly along said fence to a point on the West line of said SW1/4SE1/4; thence North along said West line 1107 feet, more or less, to said Northwest corner; thence East along the North line of said SW1/4SE1/4 a distance of 1320 feet to the TRUE POINT OF BEGINNING.

SE1/4SW1/4 of Section 27, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at the Northeast corner of the SE1/4SW1/4, Section 27, Township 9 South Range 31 East, Boise Meridian, Power County, Idaho; thence South along the East line of said SE1/4SW1/4 a distance of 1107 feet, more or less, to an existing fence in the bottom of the draw; thence Southwesterly along said fence, more or less, to the Southwest corner of said SE1/4SW1/4; thence North along the West line of said SE1/4SW1/4 a distance of 1320 feet, more or less, to the Northwest corner of said SE1/4SW1/4; thence East along the North line of said SE1/4SW1/4 a distance of 1320 feet, more or less, to the POINT OF BEGINNING.

SE1/4, E1/2NE1/4 and E1/2SW1/4 of Section 28, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho.

NE1/4NE1/4 and S1/2NE1/4 and SE1/4NW1/4 and NE1/4SE1/4 of Section 32, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho.

Beginning at the center of said Section 32, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho, the TRUE POINT OF BEGINNING; thence East 80 rods; thence South 30 rods; thence Northwest 86 rods, more or less, to the TRUE POINT OF BEGINNING

Beginning at the Southwest corner of the Northeast quarter of the Southeast quarter of Section 32, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho, the TRUE POINT OF BEGINNING; thence running South 34 rods; thence Southeast 81 rods, more or less, to a point 19 rods North of the Southeast corner of said Section 32; thence North 41 rods; then West 80 rods to the TRUE POINT OF BEGINNING

NW1/4 and SW1/4 and N1/2SE1/4 Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho.

NW1/4NE1/4, S1/2SE1/4, NE1/4NE1/4 of Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at the Southeast corner of the NE1/4NE1/4 of Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence West along the South line of said NE1/4NE1/4 a distance of 544 feet, more or less, to the centerline of a stream as it now exists; thence in a Northeasterly direction along the centerline of said stream to a point on the East of said NE1/4NE1/4 that is 475 feet North of the Point of Beginning; thence South along the East line of said NE1/4NE1/4 a distance of 475 feet, more or less, to the POINT OF BEGINNING

SW1/4NE1/4 Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Commencing at the Northwest corner of the SW1/4NE1/4 of Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence South along the West line of said

SW1/4NE1/4 a distance of 449 feet, more or less, to the centerline of an existing road, same being the POINT OF BEGINNING; thence Easterly along the centerline of said road to a point on the East line of said SW1/4NE1/4 that is 541 feet, more or less, South of the Northeast corner of said SW1/4NE1/4; thence South along the East line of said SW1/4NE1/4 a distance of 779 feet, more or less, to the Southeast corner of said SW1/4NE1/4; thence West along the South line of said SW1/4NE1/4 a distance of 1320 feet, more or less, to the Southwest corner of said SW1/4NE1/4; thence North along the West line of said SW1/4NE1/4 a distance of 871 feet, more or less, to the POINT OF BEGINNING.

Beginning at the Northwest corner of the SE1/4NE1/4 of Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence South along the West line of said SE1/4NE1/4 a distance of 541 feet, more or less, to the centerline of an existing road; thence Easterly along the centerline of said road 380 feet; thence Northeasterly to a point on the North line of said SE1/4NE1/4 that is 544 feet, more or less, West of the Northeast corner of said SE1/4NE1/4; thence West along the North line of said SE1/4NE1/4 a distance of 776 feet, more or less, to the POINT OF BEGINNING.

Beginning at the Southeast corner of the SE1/4NE1/4 Section 33, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho, thence West along the South line of said SE1/4NE1/4 a distance of 316 feet; thence North 1054 feet, more or less, to the centerline of an existing road; thence Easterly along the centerline of said road to the East line of said SE1/4NE1/4; thence South along the East line of said SE1/4NE1/4 to the POINT OF BEGINNING.

N1/2SW1/4 Section 34, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho.

E1/2NW1/4, NE1/4, N1/2SE1/4, SW1/4SE1/4, S1/2 SW1/4 Section 34, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

Beginning at the Southeast corner of the NW1/4NW1/4 Section 34, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho; thence West along the South line of said NW1/4NW1/4 a distance of 415 feet; thence North 1017 feet, more or less, to the existing fence in the bottom of the draw; thence Northeasterly along said fence, more or less, to the Northeast corner of said NW1/4NW1/4; thence South along the East line of said NW1/4NW1/4 a distance of 1320 feet, more or less, to the POINT OF BEGINNING.

SW1/4NW1/4 Section 34, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho
EXCEPT the North 291 feet of the SW1/4NW1/4 of Section 34, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

Section 35: NW1/4, S1/2NE1/4

Township 10 South, Range 31 East, Boise Meridian, Power County, Idaho

Beginning at a point 2 1/2 rods East of the West quarter corner of Section 5, Township 10 South, Range 31 East, Boise Meridian Power County, Idaho; thence East along the latitudinal centerline to the center of said Section 5; thence North along the meridional centerline 40 rods; thence West parallel to latitudinal centerline to a point 2 rods East of the West line of said Section 5; thence South 7 rods; thence West 2 rods; thence South 18 rods; thence East 2 rods; thence South 20 rods to the POINT OF BEGINNING.

The N1/2S1/2NW1/4 of Section 5, Township 10 South, Range 31 East, Boise Meridian, Power County, Idaho

EXCEPT: Beginning at a point 660 feet North of the West quarter of Section 5, Township 10 South, Range 31 East, Boise Meridian, Power County, Idaho; thence East 346.6 feet; thence North 379.5 feet; thence West 346.6 feet; thence South 379.5 feet to the POINT OF BEGINNING.

PARCEL 2:

SW1/4SW1/4 Section 28, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

SE1/4 Section 29, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

NW1/4NE1/4 and NE1/4NW1/4 Section 32, Township 9 South, Range 31 East, Boise Meridian, Power County, Idaho

11/01/2000

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

RIGHT NUMBER: 41-4031
NAME AND ADDRESS: DONNA D WALKER
MERRILL E WALKER
PO BOX 336
ROCKLAND, ID 83271

NOV - 2 2000
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: SPRING CREEK TRIBUTARY: ROCK CREEK

QUANTITY: ~~0.61~~ CFS
1.0

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER
USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

*See
mew
ARC
Lid. 6*

PRIORITY DATE: 05/01/1929 1880

POINT OF DIVERSION: T09S R31E S33 SESENW Within POWER County

TWO POINTS OF DIVERSION LOCATED IN T09S, R31E, S32, SESENW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1-01 12-31	0.05 CFS
IRRIGATION	4-01 10-31	~~0.61~~ CFS 1.0

*NBS
ARC
Lid. 6*

PLACE OF USE:

IRRIGATION Within POWER County					
T09S R31E S32	SENE	0.8	T09S R31E S32	NESE	12
T09S R31E S33	SENW	3	T09S R31E S33	NESW	11
T09S R31E S33	NWSW	15	T09S R31E S33	SWSW	2.2
STOCKWATER Within POWER County					
T09S R31E S32	SENE		T09S R31E S32	NESE	
T09S R31E S33	SENW		T09S R31E S33	NESW	
T09S R31E S33	NWSW				
44 ACRES TOTAL					

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

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

IDAHO DEPT OF WATER RESOURCES

41-04031



660 0 660 1320 1980 Feet

T09S, R31E, SEC. 32 & 33



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: August 10, 1999

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

In Re SRBA
Case No. 1997-

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 41-04028

2002 JAN 14 PM 4:35
FILED

NAME AND ADDRESS: DONNA D WALKER
MERRILL E WALKER
PO BOX 336
ROCKLAND, ID 83271

SOURCE: GROUNDWATER

QUANTITY: 0.78 CFS
156.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 14.68 CFS. COMBINED RIGHT NOS.:
41-00018, 41-00020A, 41-00023, 41-00031A, 41-02001, 41-10009 &
41-04028.

PRIORITY DATE: 05/01/1953

POINT OF DIVERSION: T10S R31E S05 NESENW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.78 CFS 156.00 AFY

PLACE OF USE:	Irrigation	Within Power County
	T10S R31E S05	SWNW 35.0
	SENW 40.0	
	75.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 39.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 734.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:

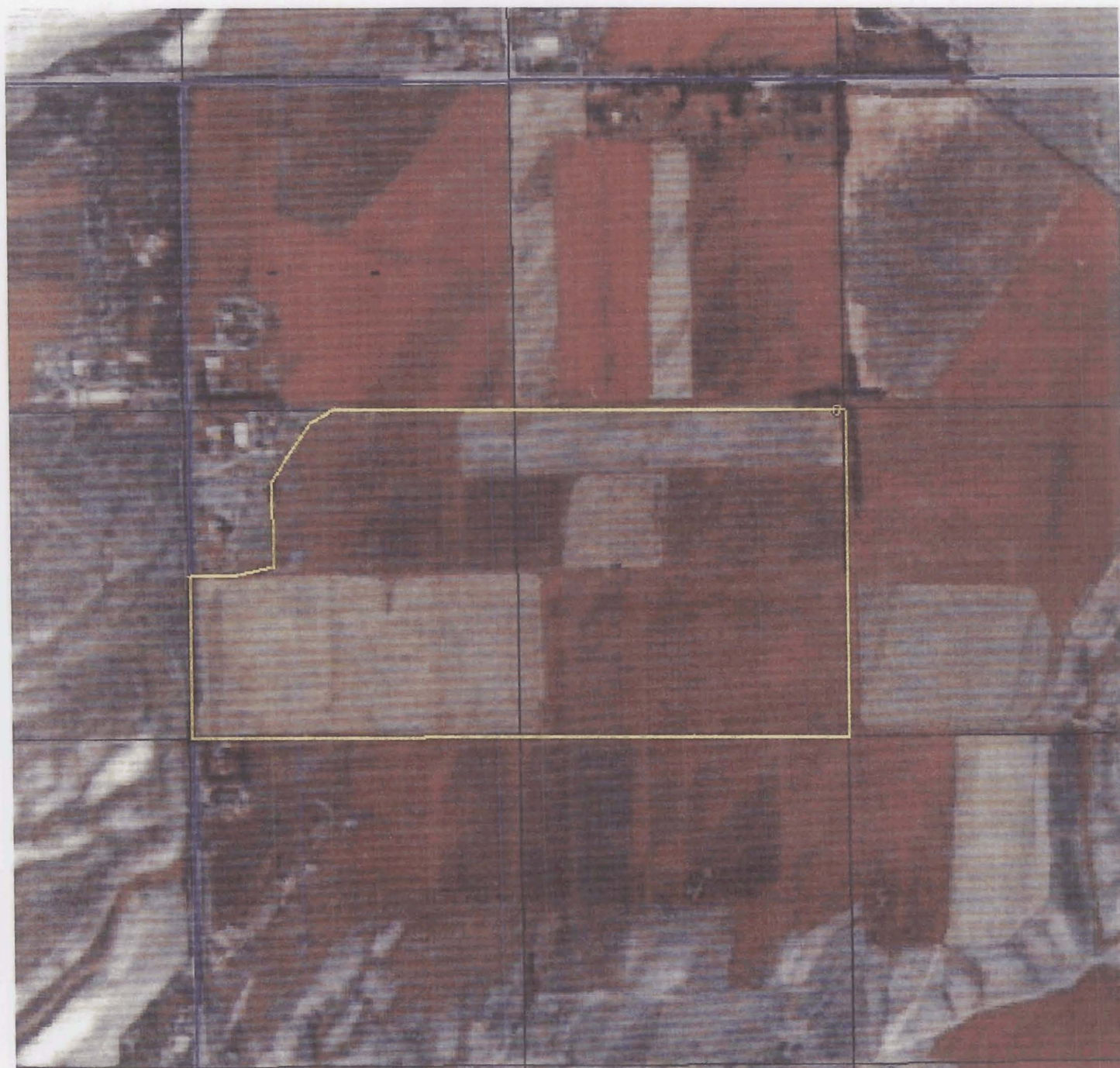
41-00018, 41-00020A, 41-00023, 41-00031A, 41-02001, 41-10009 &
41-04028

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

IDAHO DEPT OF WATER RESOURCES

41-04028



660 0 660 1320 Feet



T10S R31E SEC. 5

- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- ∧ SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 & 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: May 14, 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 41-07067

Proposed Priority: May 3, 1983 Maximum Diversion Rate: 0.69 CFS

This is to certify, that MERRILL E. WALKER
DONNA D. WALKER
BOX 336
ROCKLAND, ID 83271

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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IRRIGATION	03/01 to 11/01	0.69 CFS
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LOCATION OF POINT(S) OF DIVERSION: SENW Sec. 5, Township 10S, Range 31E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	31E	5	SWNW 40	SENEW 40		80

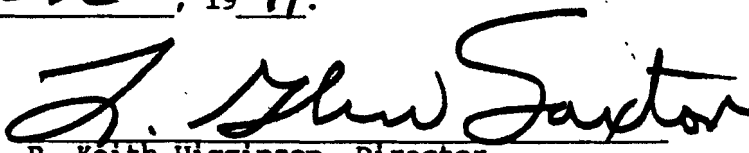
Total number of acres irrigated: 80

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 2, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

7th day of March, 1991.


for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 41-07067

Priority: May 3, 1983

Maximum Diversion Rate: 0.69 CFS
Maximum Diversion Volume: 292.4 AF

This is to certify, that MERRILL E WALKER
DONNA D WALKER

4227 SW BENCH RD
ROCKLAND ID 83271

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 3, 1983; and has submitted Proof of Beneficial Use on February 27, 1992. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.69 CFS	292.4 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 5, Township 10S, Range 31E
POWER County

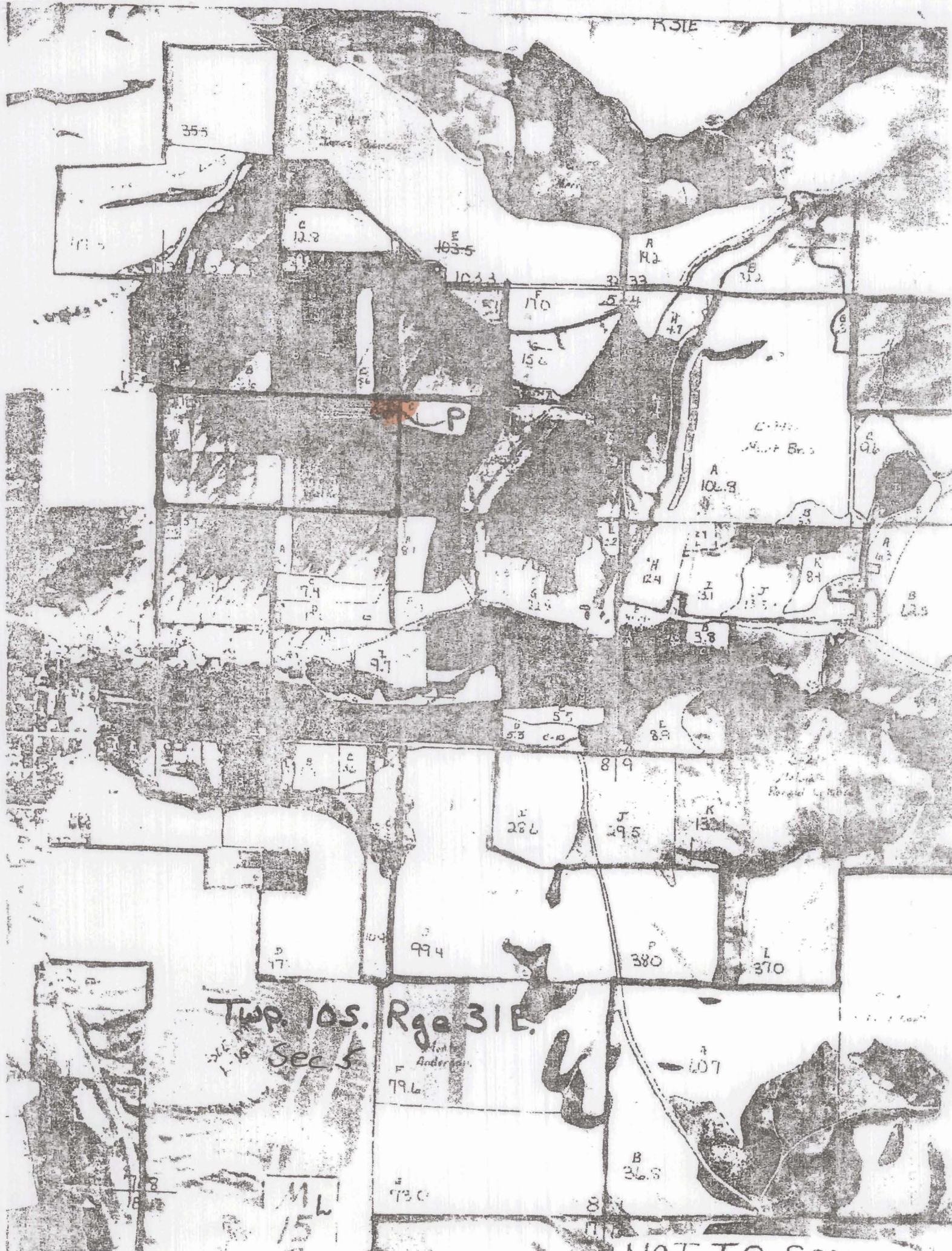
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	31E	5	SWNW 35	SENW 40		75

Total number of acres irrigated: 75

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 300.0 af at the field headgate for the lands above.



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

In Re SRBA)
Case No. 39576)
_____)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 41-10238

NAME AND ADDRESS: DONNA D WALKER
MERRILL E WALKER
PO BOX 336
ROCKLAND, ID 83271

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/21/1969

POINT OF DIVERSION: T09S R31E S25 NWSEW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-01	0.02 CFS

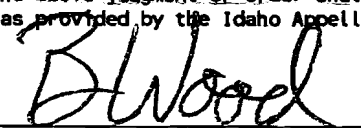
PLACE OF USE: Stockwater Within Power County
T09S R31E S25 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

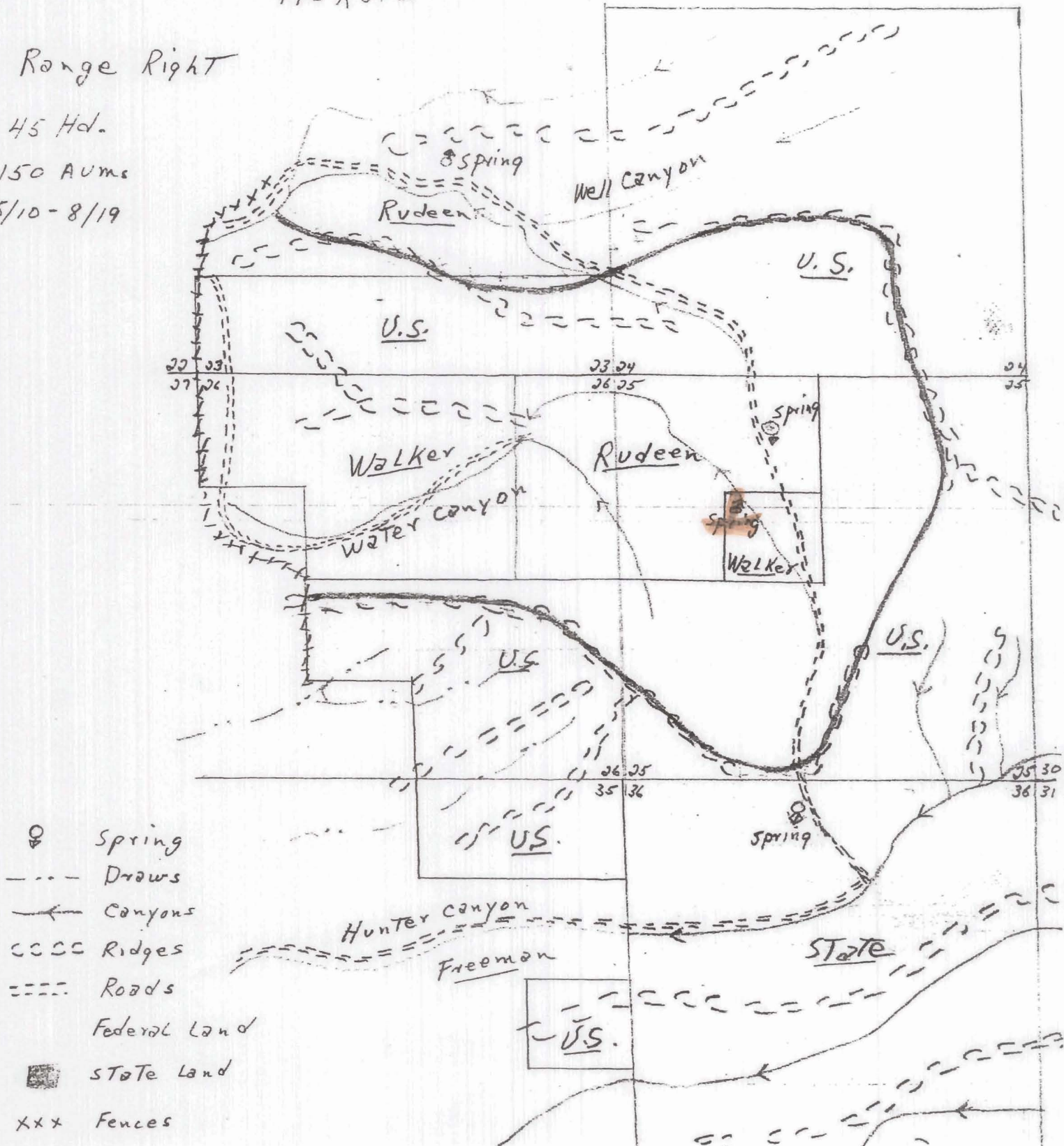
T95 R31 E

Range Right

45 Hd.

150 Aums

5/10-8/19



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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 41-10239

NAME AND ADDRESS: DONNA D WALKER
MERRILL E WALKER
PO BOX 336
ROCKLAND, ID 83271

SOURCE: SPRING TRIBUTARY: SPRING CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1965

POINT OF DIVERSION: T09S R31E S28 SESWSE Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Power County
T09S R31E S28 SWSE

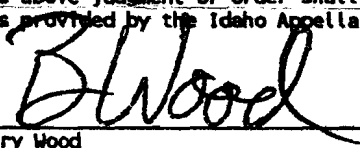
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

16077-31

195 R-3 E

1470

2 35.9 +
3 90.6 +

302.1 *

100% Spring Creek

1470

AT
Scos

Merrill Walker

501

AT
Scos

2 35.9

spring

3 90.6

28.27

33.34

NOV - 2 2000

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 41-10246
(Insert Water Right Number)

Case 39576

STANDARD FORM 5

AMENDED CLAIM

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date: 2 Nov. 00

x Merrill E. Walker
(Claimant)

(Objector)

Royann Brown 11/2/00
IDWR Concurrence

Attorney for IDWR

10/31/2000

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

RIGHT NUMBER: 41-10246
NAME AND ADDRESS: DONNA D WALKER
MERRILL E WALKER
PO BOX 336
ROCKLAND, ID 83271

NOV - 2 2000
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

PRIORITY DATE: ~~03/01/1985~~

The quantity of water under this right shall not exceed 13,000 gallons per day. 1/3/1918

POINT OF DIVERSION: T09S R31E S33 SWNE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1-01 12-31	0.04 CFS
STOCKWATER	1-01 12-31	0.02 CFS

PLACE OF USE:

DOMESTIC Within POWER County
T09S R31E S33 NESW
STOCKWATER Within POWER County
T09S R31E S33 NESW

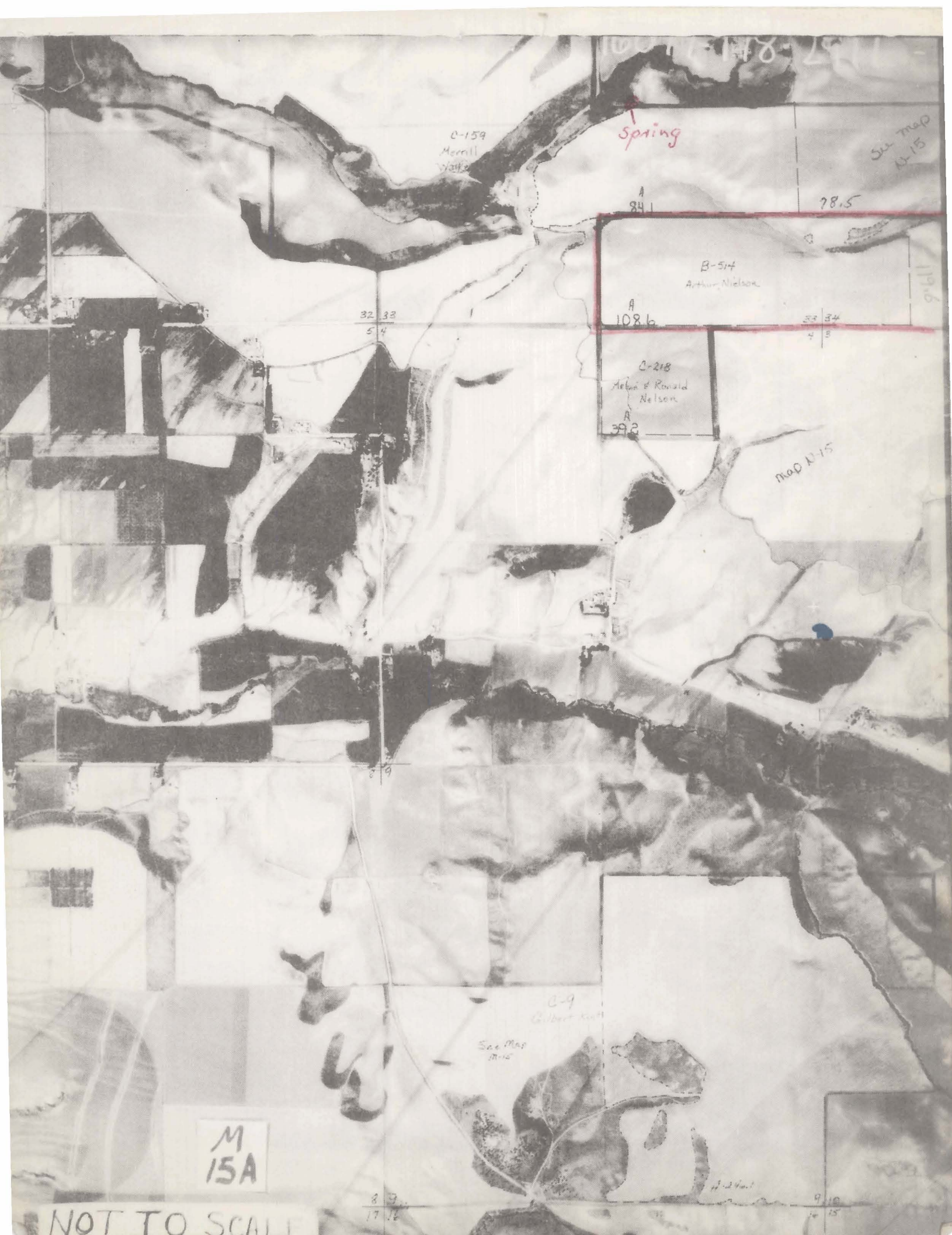
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

*RPJ
mxcu*



100 11-148-2911

C-159
Merrill
Watts

Spring

See Map
M-15

A
84.1

78.5

B-514
Arthur Nielson

A
108.6

32 34
4 8

C-218
Melvin & Ronald
Nelson

A
39.2

Map M-15

32 32
5 4

8 9
17 16

C-9
Gilbert Knott

See Map
M-15

M
15A

NOT TO SCALE

8 9
17 16

9 10
14 15

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: A41-10098
Date Received: 3/14/1990
Receipt No: M006241
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERRILL E. WALKER 208-548-2343
Address: P.O. BOX 336
ROCKLAND, ID 83271

OR

Name: DONNA D. WALKER 208-548-2343
Address: P.O. BOX 336
ROCKLAND, ID 83271

2. Date of Priority: SEP 30, 1890

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	5	SW	SW	NW		POWER

5. Description of diverting works:
WELL 255' DEEP, 6" CASING, 1 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD; S/ UP TO 100 HEAD CATTLE & HORSES