

JUL 16 2002

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

Subcase No.: 43-7088A

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

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 _____

Date _____

Date _____

Attorney for IDWR

05/23/2002

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

RIGHT NUMBER: 43-7088A

NAME AND ADDRESS: WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

QUANTITY: 1.32 CFS
264.0 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

PRIORITY DATE: 06/15/1977

POINT OF DIVERSION:

T09S R28E S29 NESWSW Within CASSIA County
~~T09S R28E S29 SESWSW Within CASSIA County~~
T09S R28E S29 SENWSE Within CASSIA County
T09S R28E S30 SWESE Within CASSIA County
T09S R28E S30 SWESE Within CASSIA County
T09S R28E S31 NESWNW Lot 2 Within CASSIA County
TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWESE.

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS 264.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within CASSIA County

T09S R27E S25	SESE	15.0	T09S R27E S36	NENE	15.0
T09S R27E S36	SENE	1.6	T09S R28E S19	SESW	32.0
T09S R28E S28	NWNW	37.0	T09S R28E S28	SWNW	40.0
T09S R28E S28	SENW	34.0	T09S R28E S28	NESW	34.0
T09S R28E S28	NWSW	33.0	T09S R28E S28	SWSW	35.0
T09S R28E S28	SESW	33.0	T09S R28E S28	NWSE	40.0
T09S R28E S28	SWSE	31.0	T09S R28E S28	SESE	30.0
T09S R28E S29	NENE	40.0	T09S R28E S29	NWNE	21.0
T09S R28E S29	SWNE	40.0	T09S R28E S29	SENE	40.0
T09S R28E S29	NENW	37.0	T09S R28E S29	NWNW	31.0
T09S R28E S29	SWNW	41.0	T09S R28E S29	SENW	40.0
T09S R28E S29	NESW	41.0	T09S R28E S29	NWSW	41.0
T09S R28E S29	SWSW	41.0	T09S R28E S29	SESW	41.0
T09S R28E S29	NESE	40.0	T09S R28E S29	NWSE	41.0
T09S R28E S29	SWSE	41.0	T09S R28E S29	SESE	38.0
T09S R28E S30	NENE	34.0	T09S R28E S30	NWNE	40.0
T09S R28E S30	SWNE	41.0	T09S R28E S30	SENE	41.0
T09S R28E S30	NENW	41.0	T09S R28E S30 Lot 1	NWNW	45.0
T09S R28E S30 Lot 2	SWNW	45.0	T09S R28E S30	SENW	40.0
T09S R28E S30	NESW	40.0	T09S R28E S30 Lot 3	NWSW	46.0
T09S R28E S30 Lot 4	SWSW	36.0	T09S R28E S30	SESW	39.0
T09S R28E S30	NESE	41.0	T09S R28E S30	NWSE	41.0
T09S R28E S30	SWSE	41.0	T09S R28E S30	SESE	41.0
T09S R28E S31	NENE	29.0	T09S R28E S31	NWNE	19.0
T09S R28E S31	NENW	12.0	T09S R28E S31 Lot 1	NWNW	24.0
T09S R28E S31 Lot 2	SWNW	12.0	T09S R28E S32	NENE	4.3
T09S R28E S32	NWNE	11.0	T09S R28E S32	NENW	17.0
T09S R28E S32	NWNW	24.0	T09S R28E S33	NWNW	3.9

1832.8 ACRES TOTAL

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USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: License