

RECEIVED

AUG 16 2002

Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 14 2002
By _____ 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

Case No. 39576

SUBCASE NO.: 43-10087

STANDARD FORM 5

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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.

CLAIMANT/OBJECTOR:

Larry A. Brown 8/14/02
Larry A. Brown date
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

Webb Bros. LLC 8/14/02
for Webb Bros. LLC date

IDWR CONCURRENCE:

Roxanne Brown 8/14/02
Roxanne Brown date
Sr. Water Resource Agent

Candice M. McHugh 8/14/02
Approved as to form date
Candice M. McHugh
Attorney for IDWR

DISTRICT COURT-6
Fifth Judicial District
County of Twin Falls - State

AUG 14 2002

NAME AND ADDRESS:

WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLE ID 83323

Tributary:

QUANTITY: 2.98 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1938 AF. COMBINED RIGHT NOS.: 43-13071, 43-
13072, 43-13063, AND 43-13087.

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE, COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063,
43-10087, 43-2054, 43-2180, AND 43-2264.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:

TLOS RATE S24 SASEGW Within CASSIA County

PURPOSE AND PERIOD OF USE:

T108 R26N S1E SWNWSW Lot 3 Within CASSIA County
Purpose of use: Period of use:

IRRIGATION

03/15 11/15

Quantity:

2.98 CFS

PLACE OF USE:

IRRIGATION within CASSIA County

T10S R27E G23 SENE 4.2
T10S R27E S23 NESE 22.0
T10S R27E S23 SESE 38.0
T10S R27E S24 SWNE 30.0
T10S R27E S24 SENE 40.0
T10S R27E S24 SWNW 29.0
T10S R27E S24 SBNW 21.0
T10S R27E S24 NENE 40.0
T10S R27E S24 NNESE 40.0
T10S R27E S24 SWSW 40.0
T10S R27E S24 SENE 40.0
T10S R27E S24 SENE 40.0
T10S R27E S24 NESE 36.0
T10S R27E S24 NWSE 40.0
T10S R27E S24 SWSW 30.0
T10S R27E S24 SESE 23.0
T10S R27E S25 NENE 31.0
T10S R27E S25 NNESE 34.0
T10S R27E S25 SWNE 33.0
T10S R27E S25 SENE 32.0
T10S R27E S25 NENE 4.2
T10S R27E S25 SWNW 39.0
T10S R27E S26 NENE 35.0

T108 R282 S19 S4NW Lot 2 10.0
T108 R282 S19 S4SW Lot 3 33.0
T108 R282 S19 S4SW Lot 4 11.0

734.3 ACRES TOTAL

735.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 734.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10087, 43-
2084, 43-2180, AND 43-2264.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 327.7 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 735.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10087, 43-
2084, 43-2180, AND 43-2264.~~

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.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13071, 43-13073, AND 43-
13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Aug. 14, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☐ regular mail
☒ hand-delivered
☐ facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

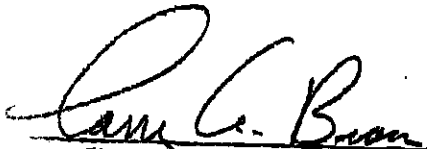
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

U.S. Dept. of Justice
Environment & Natural Resource Div.
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Webb Brothers Land & Livestock, LLC
22 N. Yale Rd.
Declo, ID 83323

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document