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Department of Water Resources

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

Case No. 39576

SUBCASE NO.: 43-13071

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 8/12/02
Roxanne Brown date
Sr. Water Resource Agent

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

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

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

AUG 14 2002

RIGHT NUMBER: 43-13071

NAME AND ADDRESS:

WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83333

SOURCE:

GROUND WATER

Tributary:

QUANTITY:

2.98 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.06 CFS. COMBINED RIGHT NOS: 43-13071 AND 43-
13073.

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, 43-2064, 43-2180, AND 43-2254.

USE OF THIS RIGHT WITH RIGHT NO. 43-13073 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1012.0 AF.

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 1395 AF. COMBINED RIGHT NOS.: 43-13071, 43-
13073, 43-13063, AND 43-10087.

PRIORITY DATE:

06/29/1962

POINT OF DIVERSION:

T10S R27E S24 SESEW Within CASSIA County

T10S R28E S19 SEWSEW Lot 3 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

IRRIGATION

03/15 11/15

Quantity:

2.98 CFS

PLACE OF USE:

IRRIGATION

Within CASSIA County

~~T10S R27E S24 SESEW 1-2~~
T10S R27E S23 NESE 23.0
T10S R27E S23 SESE 36.0
T10S R27E S24 SESE 30.0
T10S R27E S24 SESE 40.0
T10S R27E S24 SEWSE 29.0
T10S R27E S24 SEWSE 23.0
T10S R27E S24 NESE 40.0
T10S R27E S24 NESE 40.0
T10S R27E S24 SEWSE 40.0
T10S R27E S24 SEWSE 40.0
T10S R27E S24 NESE 36.0
T10S R27E S24 NESE 40.0
T10S R27E S24 SEWSE 30.0
T10S R27E S24 SESE 23.0
T10S R27E S25 NESE 21.0
T10S R27E S25 NWSE 34.0

T108 R27E S28 SENE 33.0
T108 R27E S28 SENE 32.0
T108 R27E S28 SENE 4.3
T108 R27E S28 SENE 29.0
T108 R27E S28 SENE 35.0
T108 R28E S12 SENE Lot 2 10.0
T108 R28E S12 SENE Lot 3 33.0
T108 R28E S12 SENE Lot 4 11.0

734.3 ACRES TOTAL

734.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 263 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 43-13071, 43-13073

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, 43-2182, AND 43-2264.

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, 43-2182, 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
UNITED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-4017.

RIGHT NO. 43-11087 IS AN EXPANSION OF THIS RIGHT, 43-13073, AND 43-
13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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

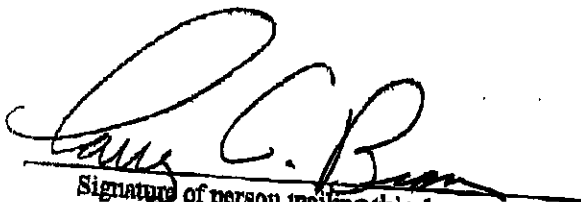
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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