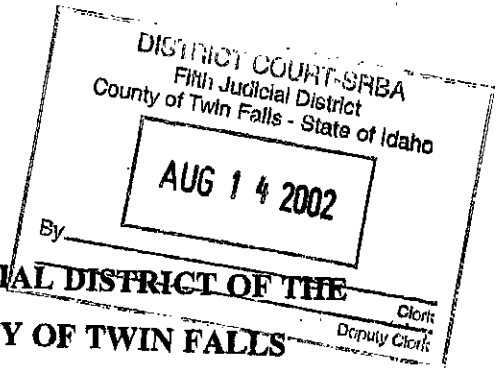


RECEIVED

AUG 16 2002

Department of Water Resources



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.: 43-13229

STANDARD FORM 5

STIPULATED ELEMENTS OF A  
WATER RIGHT

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.

This right, along with right 43-13230, are split from and constitute the whole right of 43-2336. The original right is now superseded by this right and right 43-13230.

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:

*Jordan A. Webb* 8/14/02  
for Webb Basin Dairy Date

OBJECTOR:

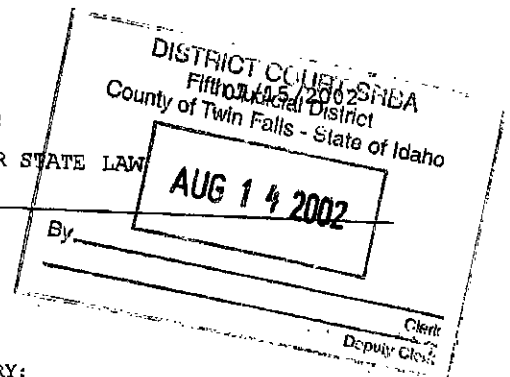
*Larry A. Brown* 8/14/02  
Larry A. Brown, US DOJ Date  
Attorney for BLM *Fwp*

IDWR CONCURRENCE:

Jeanie Robertson 8/14/02  
Sr. Water Resource Agent Date

Candice Meyers 8/14/02  
Approved as to form Date  
Attorney for IDWR

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



RIGHT NUMBER: 43-13229  
NAME AND ADDRESS: WEBB BASIN DAIRY  
HC 76 BOX 1050  
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER  
QUANTITY: 3.94 CFS  
903.1 AFY

TRIBUTARY:

*Fup*

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.

PRIORITY DATE: 04/20/1956

POINT OF DIVERSION:

T09S R27E S35 SESWSW Within CASSIA County  
T10S R27E S2 NWNWNE Lot 2 Within CASSIA County  
T10S R27E S2 NWNWSW Within CASSIA County  
T10S R27E S11 NWNENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 11/01

QUANTITY  
3.940 CFS  
903.10 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 NOVEMBER 1 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 S34       | SESE | 34.8 | T09S R27E S35       | NWSW | 5.1  |
| T09S R27E S35       | SWSW | 40.1 | T09S R27E S35       | SESW | 18.2 |
| T10S R27E S02 Lot 1 | NENE | 30.4 | T10S R27E S02 Lot 2 | NWNE | 28.3 |
| T10S R27E S02       | SWNE | 30.3 | T10S R27E S02       | SENE | 25.3 |
| T10S R27E S02 Lot 3 | NENW | 37.9 | T10S R27E S02 Lot 4 | NWNW | 40.3 |
| T10S R27E S02       | SWNW | 33.2 | T10S R27E S02       | SENW | 39.3 |
| T10S R27E S02       | NESW | 32.9 | T10S R27E S02       | NWSW | 39.0 |
| T10S R27E S02       | SWSW | 40.3 | T10S R27E S02       | SESW | 37.3 |
| T10S R27E S02       | NESE | 36.8 | T10S R27E S02       | NWSE | 40.1 |
| T10S R27E S02       | SWSE | 37.9 | T10S R27E S02       | SESE | 40.4 |
| T10S R27E S03 Lot 1 | NENE | 33.9 | T10S R27E S03       | SENE | 8.6  |
| T10S R27E S03       | NESE | 7.2  | T10S R27E S03       | SESE | 13.4 |
| T10S R27E S10       | NENE | 29.7 | T10S R27E S10       | SENE | 9.6  |
| T10S R27E S11       | NENE | 26.6 | T10S R27E S11       | NWNE | 40.3 |
| T10S R27E S11       | SWNE | 40.3 | T10S R27E S11       | NENW | 38.8 |
| T10S R27E S11       | NWNW | 40.3 | T10S R27E S11       | SWNW | 39.0 |
| T10S R27E S11       | SENW | 40.3 |                     |      |      |

1035.9 ACRES TOTAL

Water Right 43-13229

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

07/15/2002

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED  
TOTAL OF 1038.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225.8 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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2336.

Fwp

8m =  
J.K.W.

## CERTIFICATE OF SERVICE

I certify that on Dec-14, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

Webb Basin Dairy  
HC 76 Box 1050  
American Falls, ID 83211

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

U.S. Dept. of Justice  
Environment & Nat'l Resources Div.  
550 West Fort St. MSC 033  
Boise, ID 83724

☒ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

  
Signature of person or attorney mailing the form