

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: A22-02247
Date Received: 7/19/1988 8-24
Receipt No: E001701/E001719
Received By: Ed

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANKO FARMS INC. 208-356-6611
Address: C/O FRANK WEBSTER
P.O. BOX 323
REXBURG, ID 83440

2. Date of Priority: MAR 22, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	24	SW	NW	NW		MADISON
	41E	19	NW	SW	NE		MADISON
			SE	NE	NW		MADISON

5. Description of diverting works:
3 WELLS PUMP INTO COMMON SYSTEM TO IRRIGATE ENTIRE FARM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.270		

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

8. Total consumptive use is 1597.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	13	SE	SE		IRR	40.0
						Section Acres	40.0
		24	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	30.0
			SW	NW		IRR	22.0
			SE	NW		IRR	40.0
						Section Acres	292.0
	41E	18	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	80.0
		19	SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			NE	NW		IRR	38.0
			NW	NW		IRR	40.0
			SW	NW		IRR	35.0
			SE	NW		IRR	38.0
						Section Acres	227.0
						Total Acres	639.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
22-07071/07156/A22-07418B SAME POD

14. Remarks:
ORIGINAL LICENSE INCLUDES ONLY ONE WELL. THROUGH TIME 2
ADDITIONAL WELLS HAVE BEEN ADDED TO SYSTEM UNDER 22-07071 &
SS-07156.

15. Basis of Claim: LICENSE
Water Right Number: 32287

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Sec of _____ Title

Franke Farms Inc., that I have signed the foregoing Organization
document in the space below as Sec of _____ Title

Franke Farms Inc and that the statements contained in the Organization
foregoing document are true and correct.

Bryon H. Webster
Signature of Authorized Agent

Sec.
Title and Organization

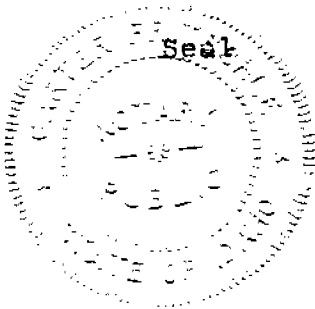
Aug. 24, 1988
Date

State of Idaho)
County of Donnerwelle) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of August 19 88

Carrie Antich
Notary Public

Residing at Eagle, Idaho
My Commission Expires 3/21/1994



R40E

R41E

13

18

17

POD

POD

40

40

40

40

35

38

38

38

23

24

19

19

20

A22-02247

639

Log for claim 22-02247

Spatial Dynamics LTD

6/28/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	13	SESE	40	38	
05n40e	24	NENE	40	39	
05n40e	24	NWNE	40	40	
05n40e	24	SWNE	40	40	
05n40e	24	SENE	40	40	
05n40e	24	NENW	40	39	
05n40e	24	NWNW	30	25	
05n40e	24	SWNW	22	22	
05n40e	24	SENE	40	40	
05n41e	18	SWSW	40	39	
05n41e	18	SESW	40	40	
05n41e	19	SWNE	38	40	
05n41e	19	SENE	38	39	
05n41e	19	NENW	38	38	POD placement?
05n41e	19	NWNW	40	40	
05n41e	19	SWNW	35	40	POD placement?/Indiscernible
05n41e	19	SENE	38	39	
Totals:			639	638	

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32287/22-2247 Priority March 22, 1965 Amount 7.27 cfs

THIS IS TO CERTIFY, that FRANK R. WEBSTER
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 32287/22-2247 issued pursuant to Application for Permit dated March 22, 1965
and has submitted proof to the Department of Water Administration on March 13, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 7.27 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____ is hereby confirmed in the following amounts:
Amount 7.27 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 7.27 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE 1/4 NW 1/4 Sec. 19, Twp. 5 N, Rge. 41 E, B. M.

in the county of Madison, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,236.3 acre feet per year or
3.5 acre feet per acre.

Description and location of place of use:

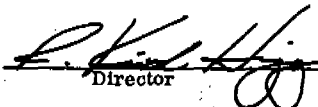
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	40 E	13																40	40
		24	40	40	40	40	40	39	22	40									292
5 N	41 E	18											40	40					80
		19			38	38	38	40	35	38									227
																			639

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

March, 19 72.


Director

22-2247

32-2211

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40433
Permit No. G- 32287
District No.

1. Name of Applicant: Frank R. Webster
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed: 20.8 cfs
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the #1 NE 1/4 of the NW 1/4 of Section 19
#2 - NW 1/4 SW 1/4, Section 18
Twp. 5 N., Rge. 41 E., B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Pump and sprinkler system
8. Estimated cost of works: \$ 100,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 20.8 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Frank R. Webster Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. March 22, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32287

Recorded in Book 113 Page 32287 Approved March 26, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 26, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 26, 1970

Witness my hand this 26th day of March, 1965

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of March, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

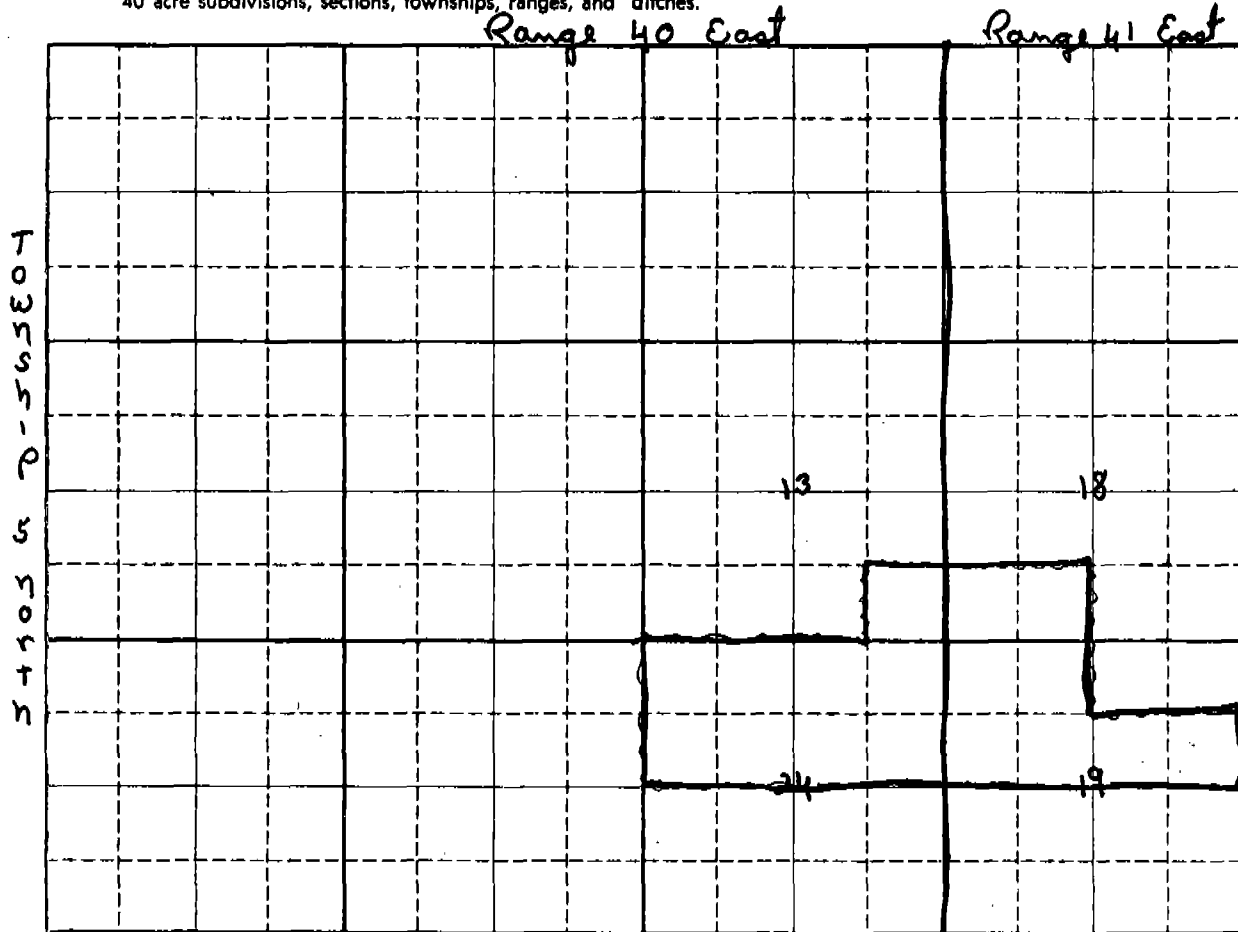
Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	40 E	13			40	40									40	40	40	40	240
5 N	40 E	24	40	40	40	40	40			40				40					320
5 N	41 E	19			40	40	40	40	40										240
5 N	41 E	18					40	40	40	40	40	40	40						240
TOTAL																			1040

LICENSE ISSUED FOR 2.42 SEC. FY.
LICENSE PAGE NO.

Permit No. G-32287/22-2247

33287
22-2247

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Rexburg, Idaho, this 21st day of March, 19 70.

Frank R. Wheeler
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. G-32287/22-2247

Witness my hand this 2nd day of April, 19 70

R. Keith Higgins
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32287/22-2247

This proof is for b/u In Water District No. _____

1. Name of applicant Frank R. Webster, Rexburg, Idaho

2. Source of water supply: groundwater

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19
NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18

T. 5 N R. 41 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: 14" bowls,

600 HP & 200 HP; 20" & 16"; 935'

See Pump Data on Page Back

There is only one Point of Diversion at
this time - The other well has not been dug.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 5 N. R. 40 E.	Sec. 13	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	24	N $\frac{1}{4}$	280
41 E,	18	S $\frac{1}{4}$ SW $\frac{1}{4}$	80
	19	S $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$	240
			640 TOTAL

Point of diversion is NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 19

The system operates 17 lines with 11/64 head
@ an average 50 psi pressure

$$Q = (32)(17)(6.01)/450 = 727 \text{ CFS}$$

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: the acreage is planted in grain and
potatoes. The East West mainline is nearly
2 miles long

This examination was made on the 20th day of Aug, 1970

(Signed) James Booher Examiner.

22 2247

General Electric
600 HP 1775 RPM
440 Volts
Ser # BBJ209018
Layne + Bowler Verti-line
Pump Ser# D12216

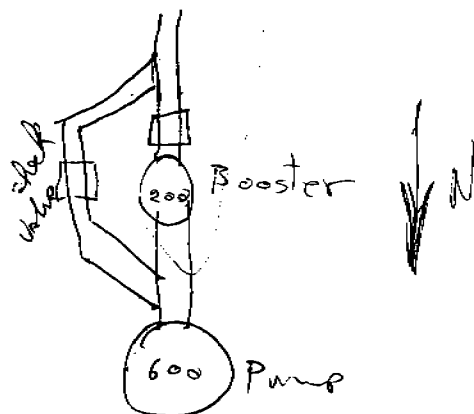
Booster
General Electric
200 HP 440 Volt
1775 RPM
Ser # PAJ 217190
Layne + Bowler
Verti-Line Pump
Ser# D12215

9

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

17 line with booster
1/64 @ 50



12" discharge @ 100' south
to mainline (Buried)

22 2217

ASCS : Rexburg
SCS : Rexburg

Permit No. G-32287/22-2247 - Frank R. Webster

Examination for b/u

County Madison 18

Sec. 19 T. 5N R. 41E

Quantity: (permit) 20.8 cfs (proof) 12.8 cfs

Source: groundwater

P.D.: NE 1/4 NW 1/4 - Sec. 19
NW 1/4 SW 1/4 - Sec. 18

Use: irrigation

Extension:

Protest:

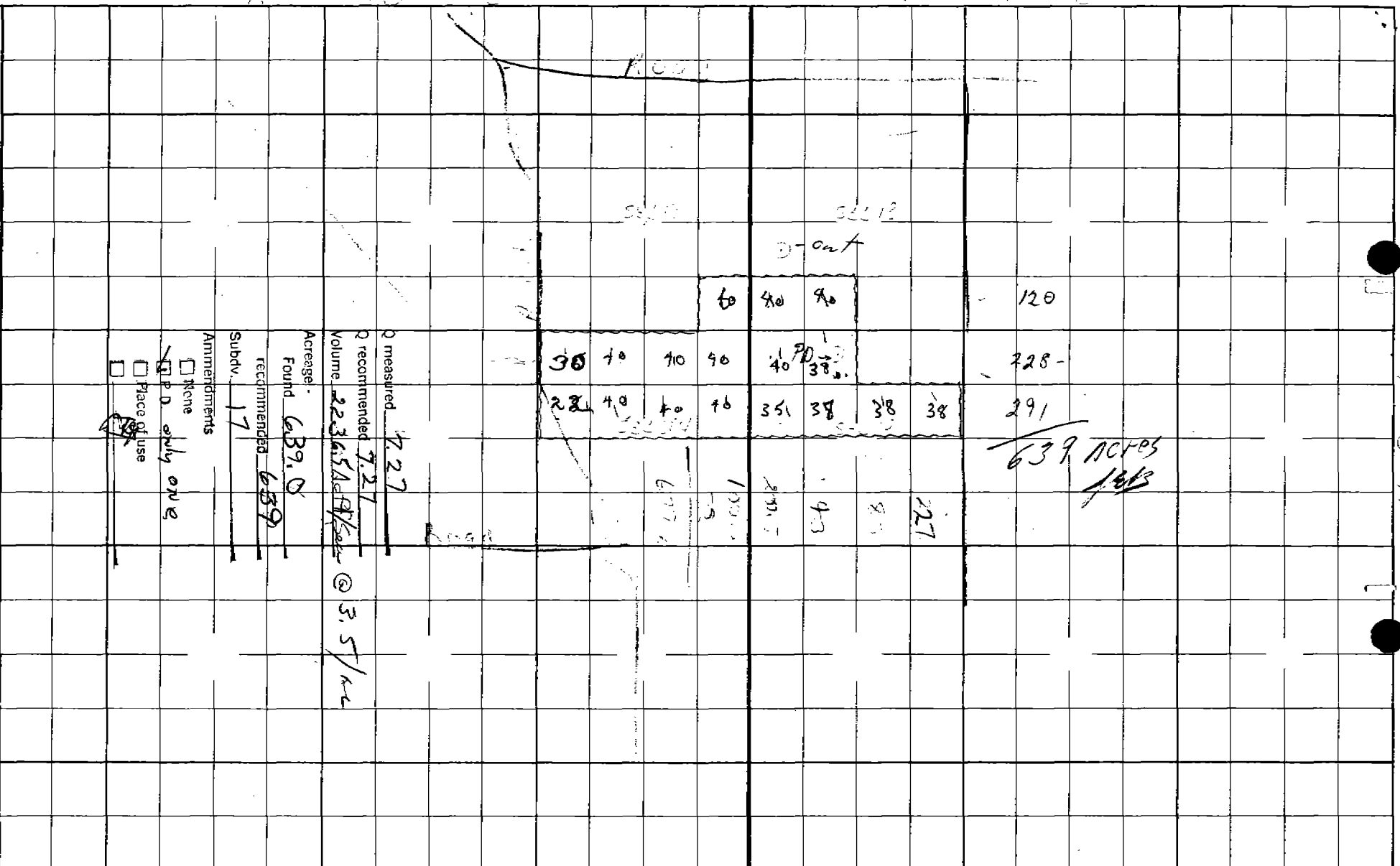
Completion of Works:

Other Rights:

Filed: March 22, 1965 MADE: March 13, 1970

Due: March 26, 1970 PRIORITY: March 22, 1965

2003



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32287/22-2247

REPORT ON PROOF OF B/U - Frank R. Webster

h.14



