

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: A22-02255
Date Received: 8/17/1988
Receipt No: E001376
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEBSTER DEEP WELL FARM, INC. 208-356-4281
Address: 519 E. 350 S.
REXBURG, ID 83440

2. Date of Priority: AUG 10, 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	9	NW	SW	SW		MADISON

5. Description of diverting works:
WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	5.700		

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

8. Total consumptive use is 904.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	8	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A22-02255

Page 1

Date: 08/17/88

A2202255



NOT RECORDED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	8	NE	SE		IRR	40.0
			NW	SE		IRR	26.0
			SW	SE		IRR	26.0
			SE	SE		IRR	40.0
						Section Acres	292.0
		9	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
						Total Acres	452.0

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:
NONE

14. Remarks: Well #3

15. Basis of Claim: LICENSE
Water Right Number: 32475

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 X 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 Vice President of _____
Title

Webster's Deep Well Farm, Inc that I have signed the foregoing
Organization

document in the space below as Vice President of _____
Title

Webster's Deep Well Farm Inc and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

V.P. Webster's Deep Well Farm Inc
Title and Organization

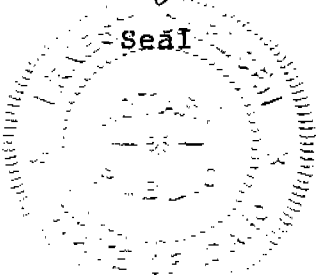
8/17/88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of Aug 19 88

[Signature]
Notary Public



Residing at Albino Falls, ID

My Commission Expires 14 June 1989

AJ0749NP
No. A22-02255

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/14/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEBSTERS MILE HIGH FARM INC PO BOX 457 REXBURG ID 83440 (208) 356-9598	08/10/1965	IRRIGATION	04-01 10-31	5.70 CFS	5.70 CFS
					TOTAL DIVERSION:	5.70 CFS
					CONSUMPTIVE USE:	904.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05N R40E S09

NMSWS

MADISON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
05N 40E 8	: 40	: 40	: 40	: 40	: 40
05N 40E 9	: 40	: 40	: 40	: 40	: 40
					TOTAL ACRES
					452.0

POU County: MADISON

Other Rights: NONE

Remarks: GEN *** CHANGE OF OWNERSHIP FILED 4/8/99, ESV 4/13/99
ENTIRE RIGHT IS CLAIMED.

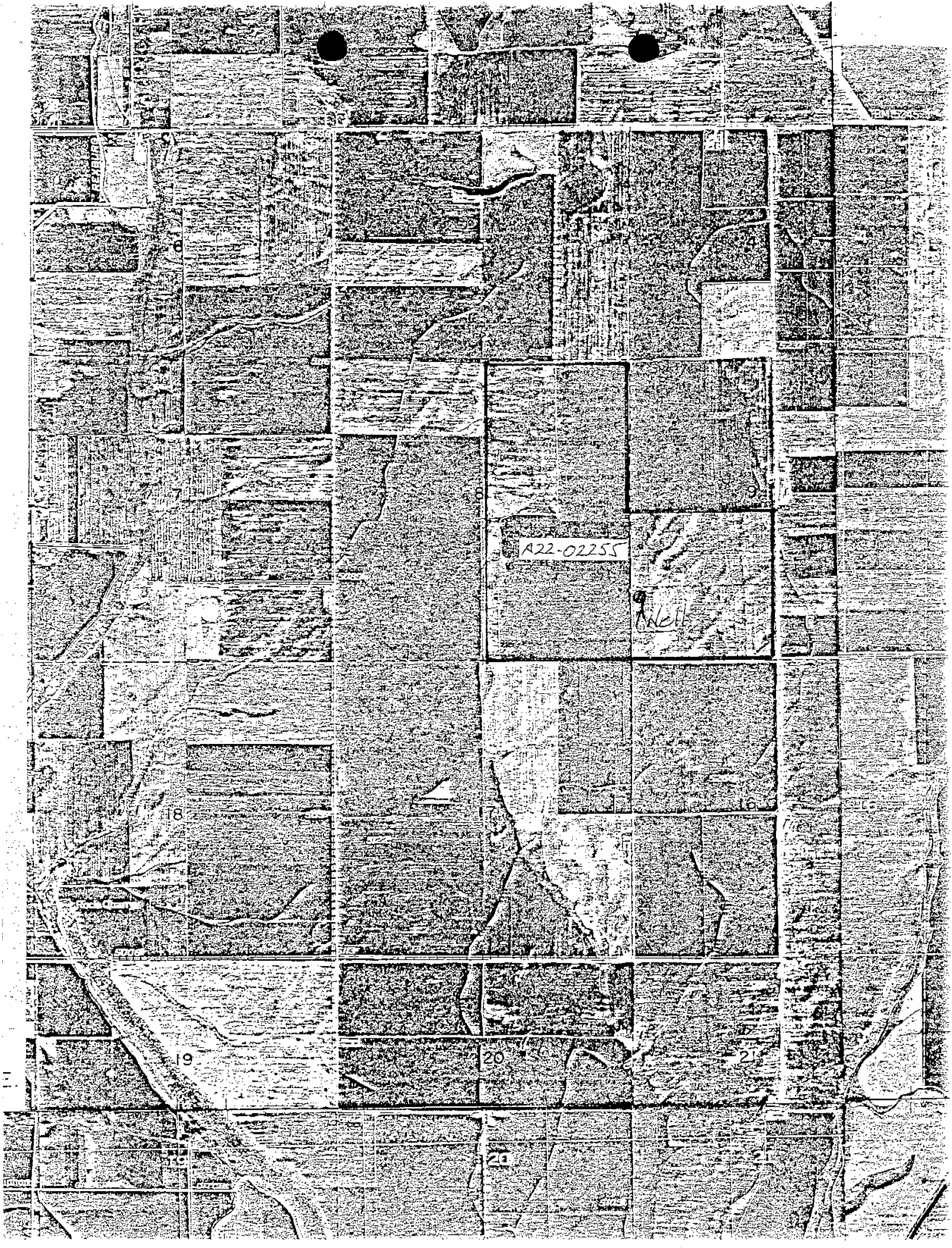
Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



A22-02255

Well

18

19

20

21

18

20

21

Log for claim 22-02255

Spatial Dynamics LTD

6/28/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	8	NENE	40	40	
05n40e	8	NWNE	40	35	
05n40e	8	SWNE	40	34	
05n40e	8	SENE	40	40	
05n40e	8	NESE	40	40	
05n40e	8	NWSE	26	35	Indiscernible
05n40e	8	SWSE	26	34	Indiscernible
05n40e	8	SESE	40	40	
05n40e	9	NESW	40	39	
05n40e	9	NWSW	40	40	
05n40e	9	SWSW	40	40	
05n40e	9	SESW	40	33	
Totals:			452	450	

22-2255

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G40629
Permit No. G- 32475
District No.

1. Name of Applicant: **Pauline E. Smith (Mrs. Ross F.)**
Postoffice address: **Rexburg** County: **Madison** State: **Idaho**
2. Quantity of water claimed: **480 miners inches or 9.6 c.f.s.**
(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 **SW NE 1/4 of the SW SE 1/4 of Section 9 8**
Twp. **5 N** , Rge. **40 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: **Sprinkler system**
8. Estimated cost of works: **\$ 30,000.00**
9. (a) Is reservoir to be used? **No**
(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 **5** 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 on hand: \$
(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) **9.6** (cubic feet per second, inches or gallons per minute) is for new lands.
- 22-2255

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

s/ Pauline E. Smith (Mrs. Ross F.) *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. August 10, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32475

Recorded in Book **113** Page **32475** Approved **August 13, 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 **February 13, 1968**

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 **August 13, 1970**

Witness my hand this 13th day of August, 1965 s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 13th
day of August, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ROBERT E. SMYLLIE
Governor

By s/ ARNOLD WILLIAMS
Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	40 E	8 9	x	x	x	x					x	x	x	x	x	x	x	320 160	
AMENDMENT TO POINT OF DIVERSION ✓																			
See application for amendment in file.																			
LICENSE ISSUED FOR 5.7 SEC. FT. LICENSE PAGE NO. _____																			

WATER LICENSE

Water License No. G-32475/22-2255 Priority August 10, 1965 Amount 5.7 c.f.s.

THIS IS TO CERTIFY, that PAULINE E. SMITH (MRS. ROSS F.)
 of Rexburg, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated August 10, 1965; that Permit G-32475/22-2255 was issued pursuant
 to said application; that the proposed works were completed on or about June 9, 1967,
 with a storage/or carrying capacity of 5.7 c.f.s., said works consisting of well,
pumps and motors; and that on July 12, 1968
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1582
 acre feet per season, with a maximum rate of diversion of 5.7 cubic feet per second of the waters
 of ground-water, tributary of _____,
 for the purpose of Irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW 1/4 14 SW 14, Sec. 9, T. 5 N, R. 40 E, B.M., and
 other additional points _____, in the County of
Madison; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 1582 acre feet per year.

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	8	40	40	40	40									40	26	26	40	292
		9									40	40	40	40					160

Total number of acres irrigated 452

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of November, 19 69.

[Signature]
 State Reclamation Engineer

22 2255

~~22 2255~~22-2255
11/4/69

11/11/69

Area - 452.3 Acres
Sub - 12
Q - 5.7 cfs.
Vol - ~~182~~ Ac FT/season
Priority AUGUST 10 1965

PLAT
✓

Source of supply Sub.

a tributary of _____

Location of P.D.(s) _____

Water is used for IRRIGATION

Quantity of water found 5.7 cfs

How was the measurement made? Pres. 9A9E

Measurement calculations _____

$$\frac{(495 \text{ Noz.}) (5.179 \text{ pm})}{448.8} = 5.7 \text{ cfs.}$$

Diversion works description and diagram

HOLLOSHAFT motor 400 H.P. Ser. # 1405834

LAYNE + Bowler Ser. # 44406

Booster pump

Holloshaft motor 100 H.P. Ser. # 1401608

LAYNE + Bowler Ser. # 559632

RAIN Bird mod 30 cws $\frac{5}{32}$

Irrigation Reg. 3.5

Indicate area irrigated in each subdivision on the map. 12
Total acreage irrigated 452.3 Acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR. BRYANT

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 10 July 69

Signature _____ P.m.

452.3 P.

28
18 17

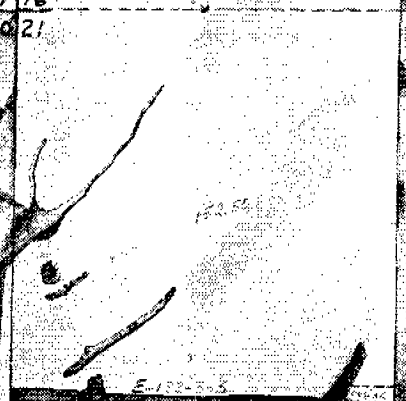
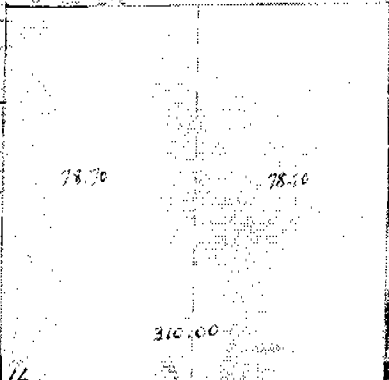
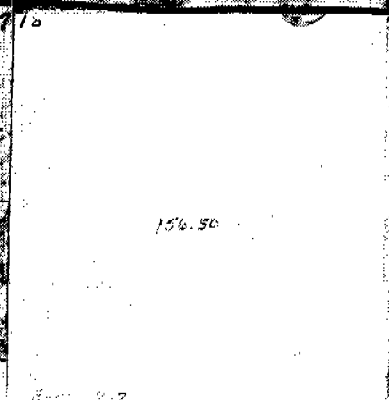
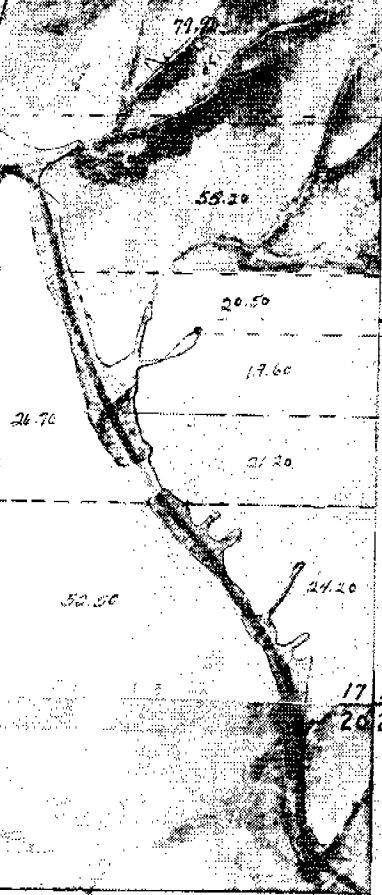
18 17
19 20

17 16

17 16
20 21

190
210

37
12
32
42



32475

120



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 1999

SHAWN WEBSTER
WEBSTERS MILE HIGH FARM INC
PO BOX 457
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02255

Dear Mr. Webster:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Jennifer Hoagland
Technical Records Specialist

Enclosure

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DELOG-JH-3571
DELOG-EV 48-99
OK 22/4/2/99
RECEIVED
MAR 30 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) G-32475/22-2255 22-07409
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.

***4/30/75 WD-Smith to WDWI Inc.**
***6/17/92 QD-WDWI to WMHF**

***4/30/75 WD-Smith to WDWI Inc.**
***6/17/92 QD-WDWI Inc. to WMHF Inc.**
***Assignment of Water License 5/5/75**

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Pauline E. Smith (G-32475/22-2255) Rexburg, Idaho
Webster Deep Well Farm Inc. (22-07409)
519 E. 350 S., Rexburg, Idaho 83440
4. New Owner/Claimant(s) Webster's Mile High Farm, Inc.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 457
City, State and ZIP Code Rexburg, Idaho 83440
New Telephone Number (208) 356-9598
5. Date you acquired the property June 17, 1992
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

N/A

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Webster's Mile High Farm, Inc. Date _____
By: Shawn Webster, President Date 3/30/99

Shawn Webster, President

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.) ✓
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

QUESTIONS MAY ALSO BE DIRECTED TO ATTORNEY STEVEN R. PARRY @ 522-3001

WARRANTY DEED

For Value Received

PAULINE E. SMITH, a widow,

the grantor , do hereby grant, bargain, sell and convey unto

WEBSTERS DEEP WELL FARMS, INC., an Idaho Corporation,

the grantee , the following described premises, to-wit:

The East Half of Section 8 and the Southwest Quarter of Section 9, Township 5 North, Range 40 East, Boise Meridian, in Madison County, Idaho.

Together with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to existing easements for roads, highways, laterals and power and transmission lines.

Microfilm No. 277441
Day MAR 17 1999
At 10:18 O'clock AM
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 300 Deputy
Recorded At Request of
Anderson & Nelson
P.O. Box 51630
Idaho Falls, ID 83405-1630

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , its heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee , that s he is the owner in fee simple of said premises; that said premises are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: This 30th day of April, 1975.

Pauline E. Smith
Pauline E. Smith, A Widow
001-0881

STATE OF IDAHO, COUNTY OF MADISON
On this 30th day of April, 1975,
before me, a notary public in and for said State, personally appeared

Pauline E. Smith, a widow,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

W. B. Kennedy
Notary Public
Residing at Keensburg, Idaho
Comm. Expires 12/13/78

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Marilyn R. Rasmussen
Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

CORPORATION QUITCLAIM DEED

GRANTOR, Webster's Deep Well Farm, Inc., an Idaho corporation, having its principal place of business in Madison County, State of Idaho, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to authority given by the Board of Directors of said corporation, does hereby REMISE, RELEASE, and forever QUITCLAIM, unto Webster's Mile High Farm, Inc., an Idaho corporation, whose mailing address is Box 457, Rexburg, County of Madison, State of Idaho, as GRANTEE, and to grantee's successors and assigns forever, all of the following described real estate situated in Madison County, Idaho:

The East Half of Section 8 and the Southwest Quarter of Section 9, Township 5 North, Range 40 East, Boise Meridian.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and is subject to existing easements for roads, highways, laterals and power and transmission lines.

IN WITNESS WHEREOF, Grantor has hereunto caused this Deed to be executed in its corporate name by its duly authorized corporate officer this 17TH day of JUNE, 1992.

WEBSTER'S DEEP WELL FARM, INC.

BY: Beverly Webster Gullum

ITS: President

ATTEST:

Kevin B. Nelson
Secretary

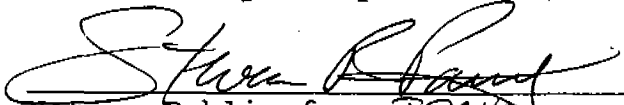
277442
Microfilm No. 277442
Day MAR 17 1993
At 1020 O'clock m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 6.00 Deputy
Recorded At Request of
Anderson & Nelson

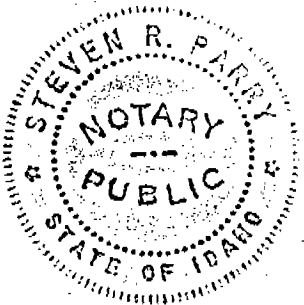
277442

STATE OF IDAHO)
County of BONNEVILLE) ss.

On this 17TH day of JUNE, 1992, before me, a Notary Public for said state, personally appeared Beverly Webster Cullum, known to me to be the President of Webster's Deep Well Farm, Inc., the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day and year first above written.


Notary Public for IDAHO
Residing at: IDAHO FALLS
My Commission Expires: 6/27/97



**CONSENT OF DIRECTORS
OF
WEBSTER'S MILE HIGH FARM, INC.
(1999)**

Pursuant to Idaho Code Section 30-1-821, and Article V of the Bylaws, the undersigned, being all of the members of the Board of Directors of Webster's Mile High Farm, Inc., an Idaho corporation (the "Corporation"), hereby consent to, vote in favor of and adopt the following resolutions without a meeting:

RESOLVED, that this Consent of Directors shall constitute the 1999 annual meeting of the Board of Directors required by Article II of the Corporation's Bylaws; and

FURTHER RESOLVED, that all actions taken by the officers of the Corporation since the last annual meeting be and they are hereby ratified and approved; and

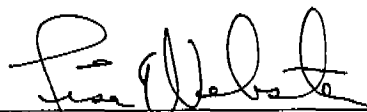
FURTHER RESOLVED, that each of the persons named below be and are hereby elected to the office or offices set forth opposite his or her name to serve until his or her successor has been duly elected and has qualified:

President:	Shawn Webster
Vice-President:	Lisa Webster
Secretary/Treasurer:	Lisa Webster

FURTHER RESOLVED, that the officers of the Corporation are directed to cancel all outstanding stock certificates and to issue new certificates to the shareholders all in accordance with the Consent of Shareholders (1999) executed by each of the shareholders.

IN WITNESS WHEREOF, each of the undersigned directors has signed this document effective as of the 9th day of February, 1999, and by doing so (1) consent to the transaction of the business hereof, (2) affirms that he or she has read the foregoing document, (3) waives any and all notice of the time, place and purposes of meeting, and (4) approves, adopts and ratifies the foregoing document and all acts taken or authorized therein.


Shawn Webster


Lisa Webster

NORTH

$\frac{79.1}{41.25}$

$\frac{98.7}{4}$

$\frac{72.1}{1}$

$\frac{3.5}{2}$

54

$\frac{1.4}{1A}$

1517
T-1119
NW

$\frac{6.2}{4}$

$\frac{5.1}{5}$

$\frac{76.0}{18}$

$\frac{1.2}{12}$

$\frac{5.8}{13}$

$\frac{5.9}{14}$

Point of
Division

$\frac{130.5}{10}$

$\frac{5.6}{11}$

$\frac{5.5}{12}$

$\frac{129.0}{15}$

SHAW'S
SHON

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79.1
41.HEL

98.7
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72.1
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3.2
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15.3
T-1119
NW

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17 16

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129.0
15

3.3
16

5.8
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14

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1.2
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