

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: A22-07156
Date Received: 7/19/1988 8-24
Receipt No: E001701/E000717
Received By: SAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANKO FARMS INC.
Address: C/O FRANK WEBSTER
P.O. BOX 323
REXBURG, ID

208-356-6611

83440

2. Date of Priority: AUG 05, 1975

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	8.000		

7. Total Quantity Appropriated is:

8.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1510.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A22-07156

Page 1

Date: 07/19/88

MICROFILMED

OCT 29 1992

A2207156



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	41E	19	SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	38.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
						Section Acres	470.0
		30	NE	NE		IRR	33.0
			NW	NE		IRR	34.0
			NE	NW		IRR	34.0
			NW	NW		IRR	33.0
						Section Acres	134.0
						Total Acres	604.0

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:
22-07071/02247/A22-07418B

14. Remarks:
THE MAXIMUM RATE OF DIVERSION FOR THE WELL WITHIN THE NENW, S19, T5N, R41E WHEN COMBINED WITH RT. 22-2247 & 22-7071 SHALL PROVIDE NO MORE THAN A TOTAL CAPACITY OF 7.38 CFS.

15. Basis of Claim: LICENSE

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: 0

For Organizations:

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

Franco Farms Inc, that I have signed the foregoing
Organization

document in the space below as Sec. of
Title

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

Bryon H. Webster
Signature of Authorized Agent

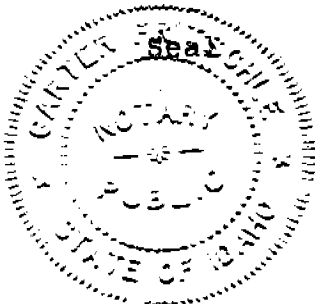
Sec.
Title and Organization

Aug 24, 1988
Date

State of Idaho)
County of Bonneville) SS.

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

Carter F. Intosh
Notary Public



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

R40E

R41E

T10N

13

18

17

POD

POD

23

24

20

A22-07156
-49
604

38	38	38	38
40	40	40	39
40	40	40	39
33	34	34	33

R40E

R41E

13

18

17

POD

POD

24

23

20

38	38	38	39
40	40	19	40
40	40	40	39
33	34	34	33

A22-07156-227
-141
604

Log for claim 22-07156

Spatial Dynamics LTD

7/6/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n41e	19	SWNE	38	40	
05n41e	19	SENE	38	39	
05n41e	19	SWNW	38	40	
05n41e	19	SENW	38	39	
05n41e	19	NESW	40	39	
05n41e	19	NWSW	40	38	
05n41e	19	SWSW	40	38	
05n41e	19	SESW	40	40	
05n41e	19	NESE	39	39	
05n41e	19	NWSE	40	40	
05n41e	19	SWSE	40	39	
05n41e	19	SESE	39	39	
05n41e	30	NENE	33	39	Indiscernible
05n41e	30	NWNE	34	38	Indiscernible
05n41e	30	NENW	34	39	Indiscernible
05n41e	30	NWNW	33	39	Indiscernible
Totals:			604	625	

Spatial
Dynamics

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7156 Priority August 5, 1975 Amount 8.00 cfs

THIS IS TO CERTIFY, that Frank Webster
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7156 issued pursuant to Application for Permit dated August 5, 1975,
and has submitted proof to the Department of Water Resources on June 30, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 12.30 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>8.00</u> cfs and	<u>2114.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 8.00 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2114.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19,
Twp. 5N, Rge. 41E in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	41E	19			38	38			38	38	40	40	40	40	39	40	40	39	470
		30	33	34			34	33											134

Total number of acres irrigated 604

The maximum rate of diversion for the well within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Twp. 5N, Rge. 41E when combined with License 22-2247 and 22-7071 shall provide no more than a total capacity of 7.38 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 31 day of
August, 19 82.

Director

STATE OF IDAHO

LICENSING

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED

AUG 9 1982

To change the point of diversion and/or the place of use Department of Water Resources

Comes now Frank Webster Phone _____
of (address) P.O. Box 323, Rexburg, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 22-7156, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 NW 1/4, Section 19, Township 5N, Range 41E, B.M.,
County of Madison. Other points of diversion: SW 1/4 NE 1/4, Sec. 19, Twp. 5N,
Rge. 41E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 8.00 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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	
5N	41E	19			38	38			38	38	40	40	40	40	39	40	40	39	470
		30	33	34			34	33											134

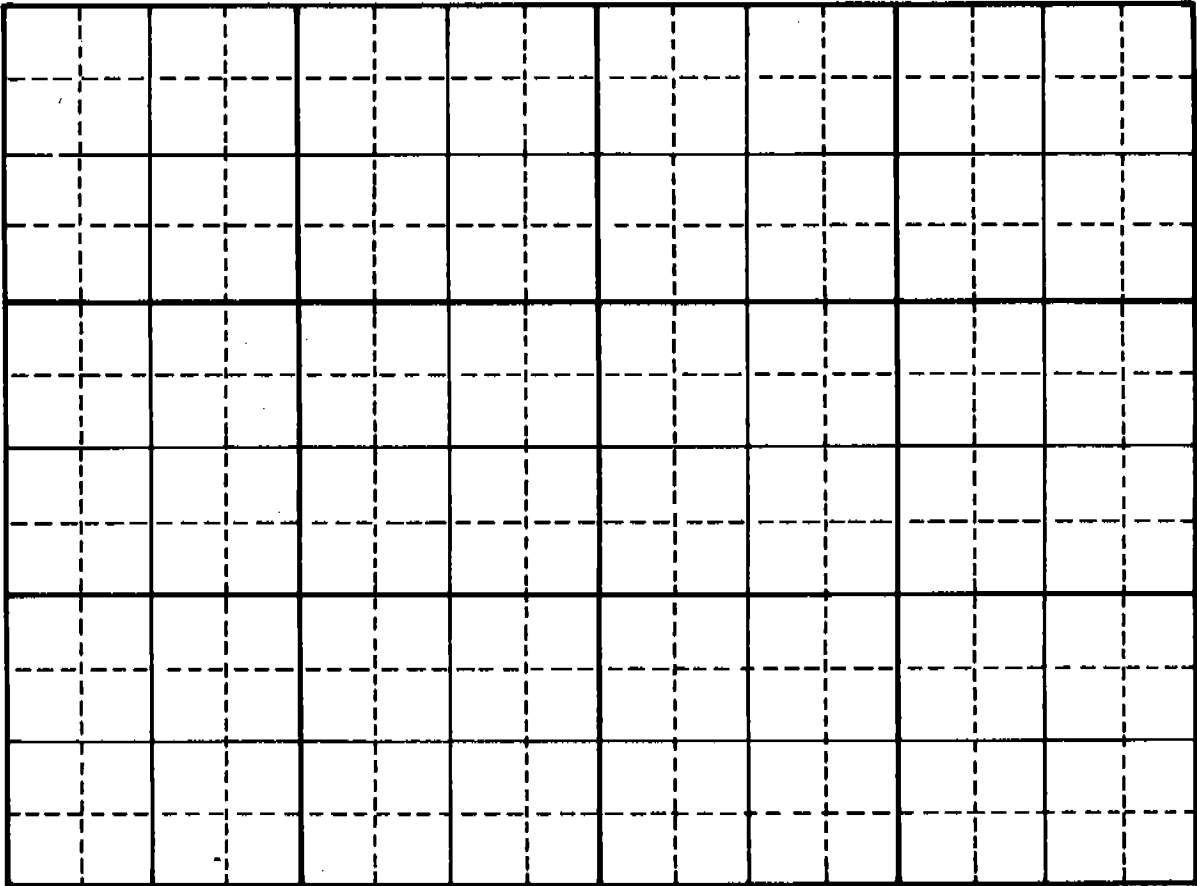
Total number of acres to be irrigated = 604

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

NOT NECESSARY



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 Rephung Idaho, this 5 day of August, 1982.
Shawn Roberts
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RC Fee = \$20.00

Received by 19 Date 8-23-82 #24591

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

APPROVE the above Application for Amendment for Permit No. 22-7156.

Witness my hand this 31 day of August, 19 82.

A. Kenneth Dunn
Director

22 7156

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Frank Webster Phone: 356-6611
 post office address Box 323, Rexburg, Idaho 83440
2. Source of water supply groundwater which is a tributary of — — —
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 5N
 Range 41E B.M. Madison County; additional points of diversion if any: _____

 b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 8.00 (cfs or acre-feet per annum) for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 8.00 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

 b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
 c. Proposed well diameter is 24 inches; proposed depth of well is 1000 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
 b. Estimated construction cost is \$ 225,000.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
 (5) If water is to be used for other purposes describe: _____

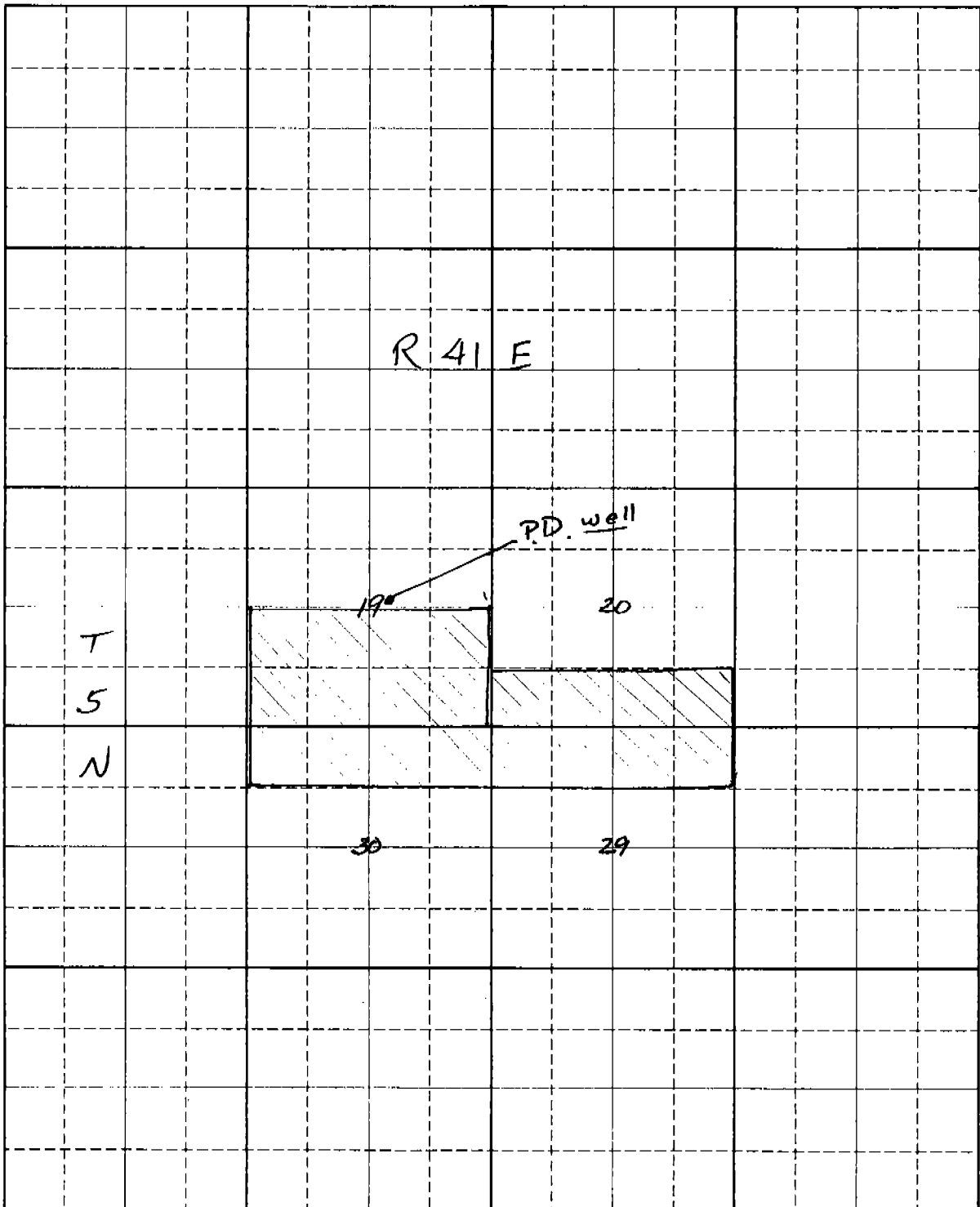
RECORDED

[illegible]

c. Describe any other water rights used for the same purposes as described above. None

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Frank H. Webster
(Applicant)

8-05-1975

Received by MB Date 8-05-75 Time 4:30 pm.

Preliminary check by Jm Fee \$ 95.00

Receipted by MB Date 8-15-75 # 4366

Publication prepared by MB Date 8-6-75

Published in Rimbey Journal

Publication dates Aug. 14 & 21, 1975

Publication approved CW Date 8-25-75

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by JH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

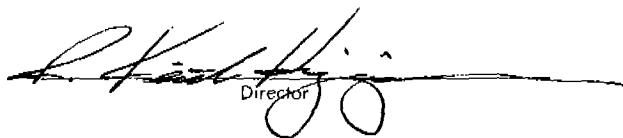
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7156, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 80.
- Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 3 day of September 19 75.


Director

Gerald Jeppesen

F

176.9

E

39.1

A

174.2

13 18
14 19

R41E

Q

~~113.5~~
234.0

T
S
N

P/O #1

E

39.5

Z

~~11.2~~

N

40.8
38 ac

38 ac

M

38 ac

32.7

38 ac

(236)

Webco Farm Inc.

A

82.2

40 ac

40 ac

Assign + East Jeppesen

P/O #2

40 ac

38.3

40 ac

40 ac

40 ac

33

24 19
25 30

33 ac

62.2

34 ac

34 ac

33 ac

15.9

15.5

7.4

6.0

6.0

7.4

E-106

(243)

Webco Farm Inc.

154.9

A-65

(243)

Joak Lewis

A

76.2

154.9

Gerald Jeppesen

F

176.9

E

39.1

A

174.2

13 18
14 19

R41E

Q

113.5
234.0

T
5
N

P/O #1

39.5

Z

X
11.2

38 ac

N

40.3

38 ac

M

38 ac

32.7

38 ac

236

Webster Farm Inc.

40 ac

A

40 ac

P/O #2

40 ac

39 ac

A

32.2

40 ac

B

40 ac

B

31

40 ac

39 ac

24 19
25 30

33 ac

34 ac

34 ac

33 ac

108

Webster Farm Inc.

154.9

A-15

Jack Lewis

A

76.2

A

154.9

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

22-7156

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-28-81 Accompanied by Mr. Webster Total Q measured 12.30 cfs

If source is surface water, estimate total flow of source

Methods of measurement Mcrometer ✓ Meets Permit requirements? Yes

Measurement calculations: $V = 8 \text{ cfs} \times 1.9855 \times 24 \text{ days}$ $= 3395.7 \text{ afa}$ $V = 604 \text{ ac} \times 3.5 \text{ afa}$ $= 2114 \text{ afa}$	System #1 Mcrometer #77-12-7074 $0.01 \text{ af in } 59 \text{ sec} = 0.01(43560) : 59 \text{ sec} = 7.38 \text{ cfs}$ System #2 Mcrometer #77-12-2032 $0.01 \text{ af in } 88 \frac{1}{2} \text{ sec} = 0.01(43560) : 88.5 \text{ sec} = 4.92 \text{ cfs}$ $4.92 \text{ cfs} + 7.38 \text{ cfs} = 12.30 \text{ cfs}$ <i>capacity</i>
--	--

Limited to 8.0 cfs as per permit

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
#1	700	Westinghouse	15-75	Lagone + Becker	D 12216	Mcrometer	Good	Mcrometer S/N 77-12-7074
Booster #1	200	GE	DAJ 217190	Lagone + Becker	D 12215			
2	600	GE	JJ 912020	Quincy	V76-72808	Mcrometer	Good	Mcrometer S/N 77-12-2032

System Description System #1 - well, pump, booster, check valve, mainline to center pivot and hand lineSystem #2 - well, pump, check valve, mainline to center pivot and hand line

*Code with map on reverse side. Disregard code if only one.

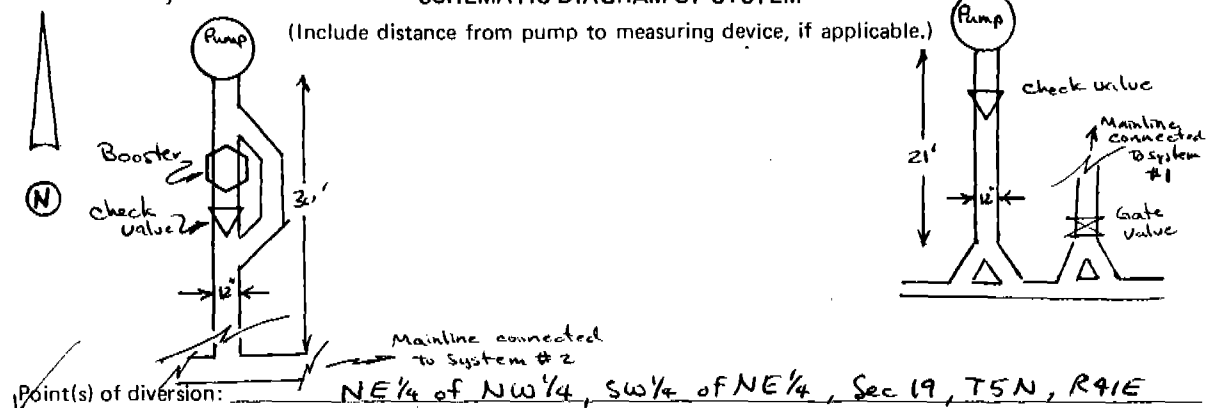
RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u>	<u>8.00 cfs</u>	<u>2114.0 afa</u>	<u>Apr 1</u>	<u>Nov 1</u>
Total	<u>8.00 cfs</u>	<u>2114.0 afa</u>	<u>Apr 1</u>	<u>Nov 1</u>

Remarks Condition Permit # 22-7156 such that when combined with license #22-2247 and 22-7071 the maximum rate of diversion from the well located in the NE 1/4 of NW 1/4, Sec 19, T5N, R4E, B.M. shall not exceed 7.38 cfs.See calculations of Q on attached sheet

System #2



Place(s) of Use

[illegible]

604

☐ Change P.D. as reflected above
☒ Change P.U. as reflected above

☒ Add P.D. as reflected above
☐ Add P.U. as reflected above

☐ None

☐ Other

miner's Signature

Classified by

Approved by

Date _____

Date _____

Date _____