

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: A22-07325
Date Received: 8/17/1988
Receipt No: E001376
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WEBSTERS INC
Address: C/O KEVIN WEBSTER
REXBURG ID

208-356-6979

83440

2. Date of Priority: MAY 9, 1980

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	16	SE	NW	SE		MADISON

5. Description of diverting works:

WELL, PUMP, MAINLINE TO 6 CENTER PIVOTS AND LATERAL HAND LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.630		

7. Total Quantity Appropriated is:

8.630 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 1616.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	15	NE	NW		IRR	22.0
			NW	NW		IRR	35.0
			SW	NW		IRR	35.0
			SE	NW		IRR	
			NE	SW		IRR	24.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	15	NW	SW		IRR	33.0
			SW	SW		IRR	34.0
			SE	SW		IRR	17.0
			Section Acres				219.0
		16	NE	NE		IRR	36.0
			NW	NE		IRR	34.0
			SW	NE		IRR	36.0
			SE	NE		IRR	36.0
			NE	SE		IRR	27.0
			NW	SE		IRR	27.0
			SW	SE		IRR	37.0
			SE	SE		IRR	37.0
			Section Acres				270.0
		21	NE	NE		IRR	17.0
			NW	NE		IRR	37.0
			SW	NE		IRR	34.0
			SE	NE		IRR	12.0
			NE	SE		IRR	35.0
			NW	SE		IRR	2.0
			SW	SE		IRR	5.0
			SE	SE		IRR	28.0
			Section Acres				170.0
		22	NE	NW		IRR	36.0
			NW	NW		IRR	40.0
			SW	NW		IRR	35.0
			SE	NW		IRR	16.0
			NW	SW		IRR	21.0
			SW	SW		IRR	1.0
			Section Acres				149.0
			Total Acres				808.0

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:

THE AMOUNT OF WATER AND IRRIGATED ACREAGE BEING CLAIMED ARE BASED
ON THE LICENSING FIELD EXAM CONDUCTED 07/11/1983. WELL #2.

CHANGED OWNERSHIP 6/27/95/JT/GT

15. Basis of Claim: PERMIT

Water Right Number: 227325

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: A22-07325
Date Received: 8/17/1988
Receipt No: E001376
Received By:

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: MAY 09, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	16	SE	NW	SE		MADISON

5. Description of diverting works:
WELL, PUMP, MAINLINE TO 6 CENTER PIVOTS AND LATERAL HAND LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.630		

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

8. Total consumptive use is 1616.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	15	NE	NW		IRR	22.0
			NW	NW		IRR	35.0
			SW	NW		IRR	35.0
			SE	NW		IRR	19.0

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Date: 01/19/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	40E	15	NE		SW		IRR	24.0
			NW		SW		IRR	33.0
			SW		SW		IRR	34.0
			SE		SW		IRR	17.0
			Section Acres					219.0
		16	NE		NE		IRR	36.0
			NW		NE		IRR	34.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		SE		IRR	27.0
			NW		SE		IRR	27.0
			SW		SE		IRR	37.0
			SE		SE		IRR	37.0
			Section Acres					270.0
		21	NE		NE		IRR	17.0
			NW		NE		IRR	37.0
			SW		NE		IRR	34.0
			SE		NE		IRR	12.0
			NE		SE		IRR	35.0
			NW		SE		IRR	2.0
			SW		SE		IRR	5.0
			SE		SE		IRR	28.0
			Section Acres					170.0
		22	NE		NW		IRR	36.0
			NW		NW		IRR	40.0
			SW		NW		IRR	35.0
			SE		NW		IRR	16.0
			NW		SW		IRR	21.0
			SW		SW		IRR	1.0
			Section Acres					149.0
			Total Acres					808.0

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

A22-07325

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Date: 01/19/89

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14. Remarks:

THE AMOUNT OF WATER AND IRRIGATED ACREAGE BEING CLAIMED ARE BASED
ON THE LICENSING FIELD EXAM CONDUCTED 07/11/1983. WELL #2.

15. Basis of Claim: PERMIT

Water Right Number: 227325

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A22-07325Date Received 17 Aug 1988Receipt Number E001376EMC

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Webster Deep Well Farm, Inc. Phone (208) 356-4281
356-3845Mailing Address 579 E. 350 S. Rexburg, ID Zip 83440.2. Date of Priority (Only one (1) per claim) May 9, 19803. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5N Range 40E Section 16,
SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Malison.

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, pump, mainline to6 center pivots and lateral headlines.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 8.63 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 8.63 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1616 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	40E	15					22	35	35	19	24	33	34	17					219
		16	36	34	36	36									27	27	37	37	270
		21	17	37	34	12									35	2	5	28	170
		22					36	40	35	16		21	1						149

Total number of acres irrigated 808

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: The amount of water and irrigated acreage being claimed
are based on the licensing field exam conducted 11 July 1983.

Well #2

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Last Name Webster

Ident No. A22-07325

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number 22-07325

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

Title

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

Organization

document in the space below as Vice President of Webster's Deep Well Farm Inc

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent B. K. Shabeta

Title and Organization VP Webster's Deep Well Farm Inc Date 8/17/88

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17 day of Aug 19 88

Notary Public Ernest Carlson

Residing at Albino Falls, ID

My Commission Expires 14 June 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name webster Ident. Number 422-07325

Copies White-State, Yellow-Claimant

Log for claim 22-07325

Spatial Dynamics LTD

7/11/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	15	NENW	22	23	
05n40e	15	NWNW	35	34	
05n40e	15	SWNW	35	27	
05n40e	15	SEnw	19	24	
05n40e	15	NESW	24	29	
05n40e	15	NWSW	33	30	
05n40e	15	SWSW	34	30	
05n40e	15	SESW	17	25	Indiscernible
05n40e	16	NENE	36	39	
05n40e	16	NWNE	34	31	
05n40e	16	SWNE	36	35	
05n40e	16	SENE	36	39	
05n40e	16	NESE	27	34	Indiscernible
05n40e	16	NWSE	27	29	
05n40e	16	SWSE	37	36	
05n40e	16	SESE	37	38	
05n40e	21	NENE	17	13	
05n40e	21	NWNE	37	38	
05n40e	21	SWNE	34	33	
05n40e	21	SENE	12	6.4	
05n40e	21	NESE	35	33	
05n40e	21	NWSE	2	1.1	
05n40e	21	SWSE	5	5	
05n40e	21	SESE	28	29	
05n40e	22	NENW	36	40	
05n40e	22	NWNW	40	40	
05n40e	22	SWNW	35	31	
05n40e	22	SEnw	16	17	
05n40e	22	NWSW	21	19	
05n40e	22	SWSW	1	1.2	
Totals:			808	809.7	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07325

Priority: May 9, 1980

Maximum Diversion Rate:
Maximum Diversion Volume:¹

8.63 CFS
2828.0 AF

This is to certify, that WEBSTER DEEP WELL FARM INC.

519 E. 350 S.

REXBURG, ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 9, 1980; and has submitted Proof of Beneficial Use on June 18, 1981. An examination indicates that the works have a diversion capacity of 8.630 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	8.63 CFS	2828.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE, Sec. 16, Township 05N, Range 40E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	40E	15	NENW 22	NWNW 35	SWNW 35		
			SESW 34	NESW 24	NWSW 33		
			SWSW 34	SESW 17			219
		16	NENE 36	NWNE 34	SWNE 36		
			SENE 36	NESE 27	NWSE 27		
			SWSE 37	SESE 37			270
		21	NENE 17	NWNE 37	SWNE 34		
			SENE 12	NESE 35	NWSE 2		
			SWSE 5	SESE 28			170
		22	NENW 36	NWNW 40	SWNW 35		
			SESW 16	NWSW 21	SWSW 1		149

Total number of acres irrigated: 808

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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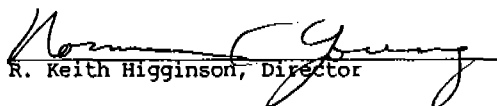
WATER RIGHT LICENSE

WATER RIGHT NO. 22-07325

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24TH
day of OCTOBER, 1989.

Director


R. Keith Higginson, Director

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OCT 26 1989

State of Idaho
Department of Water Resources

AUG 03 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07325

Department of Water Resources

Date of Priority: May 9, 1980

Maximum Diversion Rate: 8.63 CFS
Maximum Diversion Volume: 2828.0 AF

Comes now
519 E. 350 S.
REXBURG, ID 83440

WEBSTER DEEP WELL FARM INC.

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. 22-07325, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	8.63 CFS	2828.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 16, Township 05N, Range 40E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	40E	15	NENW 22	NWNW 35	SWNW 35		
			SENW 19	NESW 24	NWSW 33		
			SWSW 34	SESW 17		219	
		16	NENE 36	NWNE 34	SWNE 36		
			SENE 36	NESE 27	NWSE 27		
			SWSE 37	SESE 37		270	
		21	NENE 17	NWNE 37	SWNE 34		
			SENE 12	NESE 35	NWSE 2		
			SWSE 5	SESE 28		170	
		22	NENW 36	NWNW 40	SWNW 35		
			SENW 16	NWSW 21	SWSW 1	149	

Total number of acres irrigated: 808

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OCT 26 1989

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

Signed at 5:15 p.m., this 5 day of August, 1989.

Webster Deep Well Farm
Shawn Webster, Treas.
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07325

FOR DEPARTMENT USE ONLY

0009099

Preliminary check by KW Fee = \$20.00 ✓ Received by sg Date 8-8-89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07325 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 24TH day of OCTOBER, 1989.

Attest for

R. Keith Higginson, Director

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OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Webster Deep Well Farm, Inc. Phone 356-3845

Post office address 519 E. 350 So., Rexburg, Idaho 83440

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 5N

Range 40 E. B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 12.8 for irrigation purposes from April 1 to Nov. 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)

5. Total quantity to be appropriated:

a. 12.8 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pumps, buried main line,
lateral lines and pivots.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 24 inches; proposed depth of well is 1100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is one years (minimum 1 year - maximum 5 years). Well completed April 1, 1967 and
waters therefrom put to beneficial use in 1967, following completion of well and instal-

8. Description of proposed uses: irrigation of system.

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: _____ horsepower 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: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	40E	16	40	40	40	40									40	40	40	40	320
5N	40E	15					40	40	40	40	40	40	40	40					320
5N	40E	21	20	40	40	20													120
5N	40E	22					40	40	40	40									160
Total number of acres to be irrigated																			920

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

9. a. Who owns the property at the point of diversion Websters' Deep Well Farm, Inc.
 b. Who owns the land to be irrigated or place of use Websters' Deep Well Farm, Inc.
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Oct. 16, 1967, Florence M. Gardner, owner and holder of Permit No. 32570/22-2263, sold to Adelbert W. Webster the real property above described in Sections 16 and 15, and assigned to him for said real property a fractional part of her right, title and interest in and to said Permit, being 12.8 cfs.

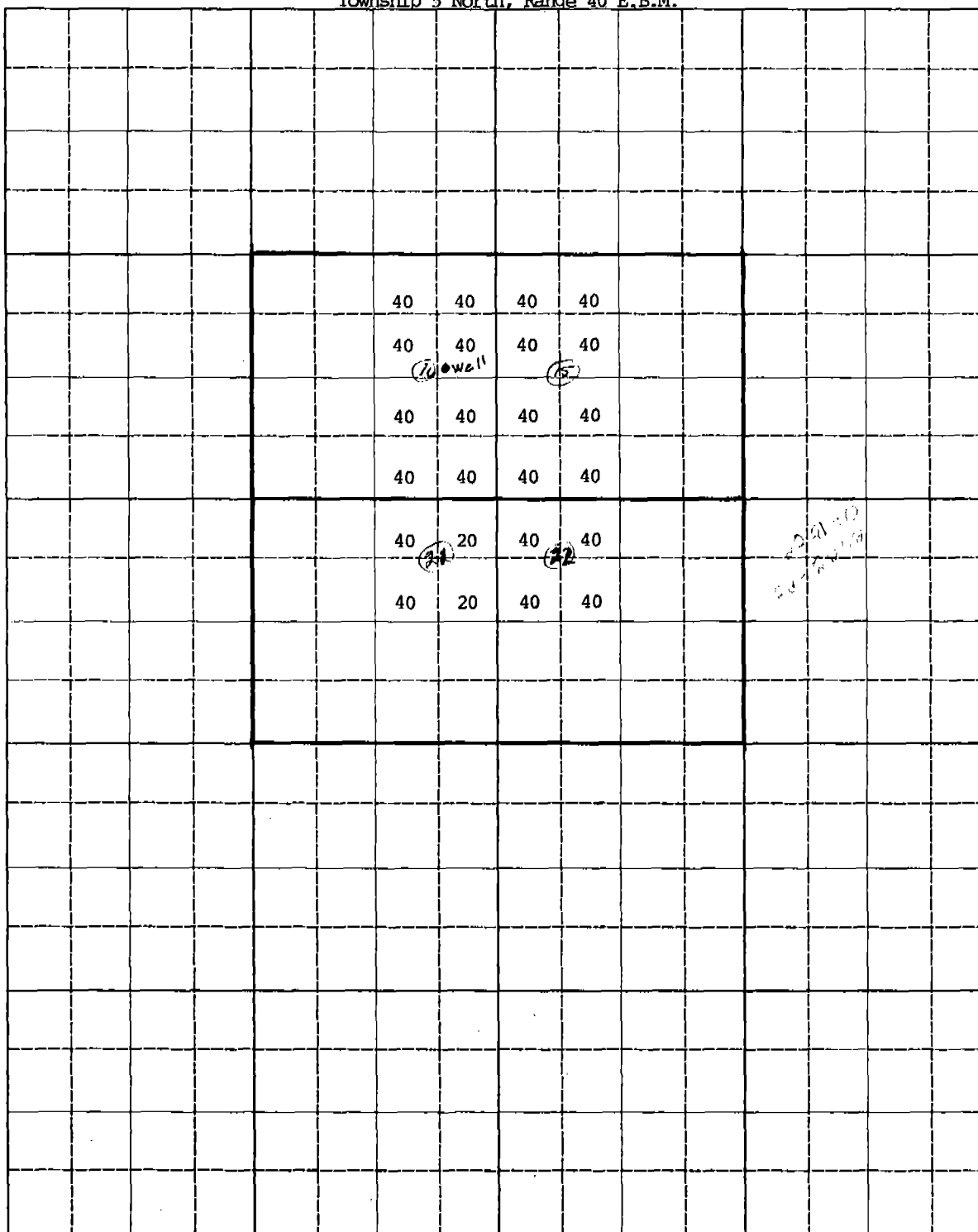
Mr. Webster took possession of the property and in 1967 completed the well, and sprinkler system. The water has been put to beneficial use every year since then.

Unfortunately, Mr. Webster was accidentally killed October 10, 1970, sixteen days prior to the time set for submitting final proof, which was October 26, 1970. Due to the resulting shock and confusion from his tragic death, the matter of submitting proof was completely overlooked. His surviving wife and children did not realize the importance of any subsequent notices that may have been sent to Mr. Webster and were unaware of any prior notices. It took them two or three years to pull his affairs together and go on.

It would be just and equitable in view of the mitigating and extenuating circumstances if the Dept. of Water Resources would now accept proof and establish the ground water priority date of October 26, 1965 for the property in sections 15 and 16. This application is made subject to this request and the possibility that the Department would grant the October 26, 1965, priority date. The above property in Sections 15 and 16 was decreed to Beverly Webster, surviving wife of Adelbert W. Webster. She thereafter transferred it to Websters' Deep Well Farm, Inc., a closely held family corporation.

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

Township 5 North, Range 40 E.B.M.



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.

WEBSTERS' DEEP WELL RANCH, INC.

(Seal)

By B. H. Roberts V.P.
Vice-President (Applicant)

Proposed Priority 5/9/80
Received by JD Date 5/9/80 Time 2:00
Preliminary check by JD Fee \$ 155.00
Receipted by JD Date 5/9/80 # 13981
Publication prepared by kw Date 5/16/80
Published in Standard Journal
Publication dates 5/22 & 5/29/80
Publication approved kw Date 6/10/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Eric J. Jir

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. 22-7325, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 81.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 1st day of July, 19 80.

A. Glen Saxton
Chief, Operations Bureau

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

22-7325

Permit No.

RECEIVED

APR 1 1986

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

Department of Water Resources

EXAMINATION

Date 11 July 1983 Accompanied by Kunk Webster Total Q measuredSource Groundwater Tributary to Supp. annubar measurement sheet used?

If source is surface water, estimate total flow of source

Methods of measurement Annubar # 191166 (13.25') Meets permit requirements?Eagle Eye Meter # 091473Measurement calculations: 29" w/ k = 1.025, d = 13.5"

$$Q = [3.85 (in)^4 / (in \cdot sec) / k] \sqrt{1/29} / 1.025 = 3873 gpm = 8.63 cfs$$

$$Q = 808 ac \times 0.02 cfs/ac = 16.16 cfs$$

$$Q_{LIMITED BY CAPACITY} = 8.63 cfs$$

$$V = 808 \times 3.5 cfs = 2828$$

$$V = 8.63 cfs \times 1.9835 \times 214 = 3663.2$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
Well	600	U.S. Electric	J1403901	Johnston	N/A	13.25' annubar	Good	
Booster	200	Westinghouse	676A50900	Johnston	N/A			

System Description well pump mainline to 6 center pivots and lateral with sprinklers

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

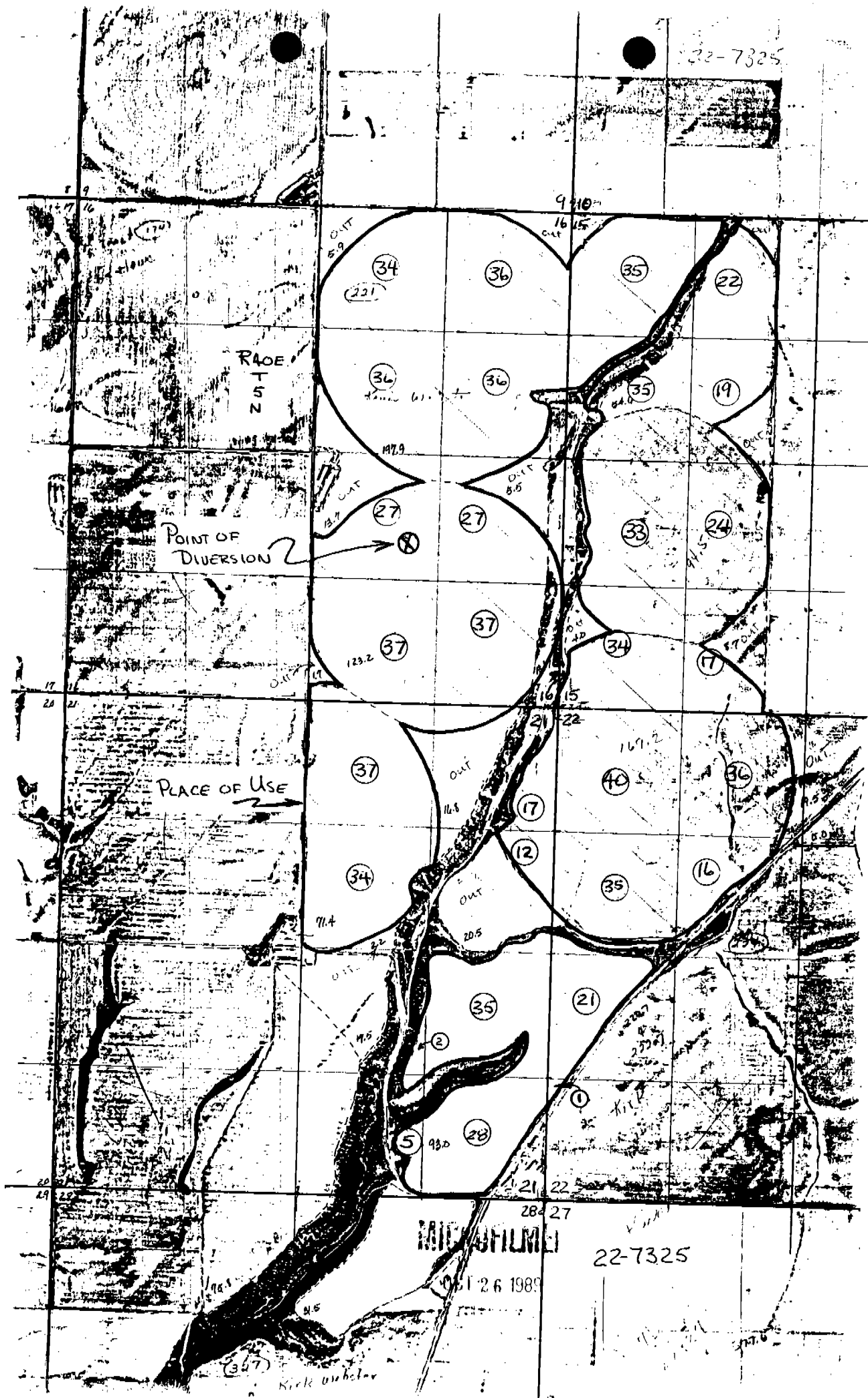
RECOMMENDED AMOUNTS

USE	Irrigation requirement = <u>3.5</u>		AFA/Acre	
IRRIGATION	Q (cfs)	V (afa)	FROM	TO
	8.63 cfs	2828	4/1	0/1
Total	8.63 cfs	2828	OCT 26 1989	

Remarks

18 Mar 1986 Learned of land swap that could affect this permit did re-examine R/D; P/L found no effect on this permit

22-7325





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

JUNE 27, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WEBSTERS INC
C/O KEVIN WEBSTER
BOX 321
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-07325

Dear Mr. Webster:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/17/92

LEGAL DESCRIPTION OF PROPERTY: Township S North Range 40 EAST Section 1/4 of 1/4 of 1/4, Govt. Lot 1/4, BM. See attached list.
Lot 1/4, Block 1/4, Subdivision/Townsite 1/4.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: 22-07325^{OK}
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): WEBSTER'S DEEP WELL FARM, INC.
C/O KIRK WEBSTER, BOX 383
REXBURG, IDAHO 83440
- ☐ New Owner/Claimant (Purchaser): WEBSTER'S, INC.
- ☐ New Mailing Address: C/O KEVIN WEBSTER
BOX 321
REXBURG, IDAHO 83440
- ☐ New Telephone Number: (208) 356-6979
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: THIS TRANSFER WAS MADE PURSUANT TO A CORPORATE REORGANIZATION. SEE CORRECTED CORP QUITCLAIM DEED (Entry No 252041) ATTACHED.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Kevin Webster, President, Webster's, Inc. Date 5-31-95
- ☐ Signature of Former Owner/Claimant(s): Kirk Webster, President, Webster's Deep Well Farm, Inc. Date 5/30/95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: By:

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WATER RIGHT No. 22-07325

MADISON COUNTY

[illegible]

Total number of acres irrigated 808

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NOV 06 1956

CORRECTED CORPORATION QUITCLAIM DEED

This Corrected Corporation Quitclaim Deed revises the legal description set forth on that certain Corporation Quitclaim Deed dated June 17, 1992, and recorded in Madison County Recorder's Office on July 6, 1992, as Entry Number 242905. The only revision made is the insertion of the phrase "more or less" after "3031.1 feet." This revision is made at the suggestion of the assessor's office to allow proper closure of the legal description. The unrevised legal description appears in prior deeds, including the Warranty Deed dated May 12, 1966, and recorded as Entry Number 129587, the Warranty Deed dated May 13, 1966 and recorded as Entry Number 129588, the Warranty Deed dated June 20, 1972, and recorded as Entry Number 168571, and the Corrected Quitclaim Deed dated November 16, 1992 and recorded as Entry Number 244446 (correcting the Quitclaim Deed dated June 17, 1992 and recorded as Entry Number 242900).

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, Inc., an Idaho corporation, whose mailing address is Box 321, 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:

Township 5 North, Range 40 East, Boise Meridian:

Part of Section 15 and 16: Commencing at a point which is located on the North line of Section 15, 3031.1 feet, more or less, West of the Northeast corner of Section 15, thence Westerly along said North boundary of said Section 15, thence along the North boundary of Section 16, a distance of 4849.3 feet more or less, to the North Quarter corner of Section

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NOV 06 1990

16, thence South $0^{\circ}15'$ West along the North and South Quarter line of Section 16, Township and Range as aforesaid, 5304 feet to the South Quarter corner of said Section 16; thence South $89^{\circ}56'$ East along the south boundaries of said Section 16, and of Section 15, a total distance of 4872.5 feet; thence North 5300.5 feet, more or less, to the point of beginning, containing 592.10 acres, more or less.

LESS AND EXCEPTING: Commencing at a point which is North 2612.92 feet from the South $\frac{1}{4}$ corner of Section 16, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence East 250.0 feet; thence North 150.0 feet; thence West 250.0 feet; thence South 150.0 feet to the point of beginning.

Township 5 North, Range 40 East, Boise Meridian:

Section 21: NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ less all that portion lying East of the Railroad right-of-way and less Railroad right-of-way.

Section 22: All that portion of Section 22 lying West of the Railroad right-of-way, less Railroad right-of-way.

Township 5 North, Range 41 East, Boise Meridian:

Section 8: SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$.

LESS AND EXCEPTING: The South 680 feet of SW $\frac{1}{4}$, the South 680 feet of W $\frac{1}{2}$ SE $\frac{1}{4}$, the South 680 feet of W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 8, Township 5 North, Range 41 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.

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NOV 6 6 1996

IN WITNESS WHEREOF, Grantor has hereunto caused this Deed to be executed in its corporate name by its duly authorized corporate officer this 16 day of May, 1994.

"GRANTOR"

WEBSTER'S DEEP WELL FARM, INC.

BY: B. Kirk Webster

B. Kirk Webster, President

ATTEST:

Rita Webster
Secretary

Accepted and Agreed to by

"GRANTEE"

WEBSTER'S, INC.

BY: Kevin Webster

Kevin Webster, President

ATTEST:

Janet Webster
Secretary

STATE OF IDAHO)
) ss.
County of MADISON)

On this 16 day of May, 1994, before me, a Notary Public for said state, personally appeared B. Kirk Webster, known to me to be the President of Webster's Deep Well Farm, Inc., the corporation that executed the within instrument as Grantor, 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.

John A. Bynum
Notary Public for Idaho
Residing at: Rigby
My Commission Expires 3-15-1999

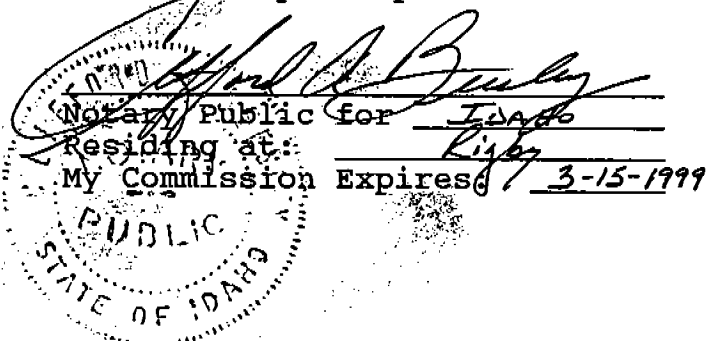
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NOV 06 1996

STATE OF IDAHO)
) ss.
County of MADISON)

On this 17 day of May, 1994, before me, a Notary Public for said state, personally appeared Kevin Webster, known to me to be the President of Webster's, Inc., the corporation that executed the within instrument as Grantee, 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.



State of Idaho)
County of Madison) ss.

252041

I hereby certify that the within instrument was
filed MAY 23 1994

19 at 1040 M., and
recorded on Film

252041

Fee 12
by BETH B. REESE, Recorder
[Signature] Deputy

At the request of Kevin Webster

sent to: Fuller Carr &
Parry

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P.O. Box 50935
Id Falls Id

83405-093

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NOV 06 1996

From: DWR03::SHAFF 25-JAN-1989 15:13
To: DWR70::CARLSEN,SHA
Subj: DELETING A22-07325 FROM HOST MASTER

YOUR FILE FROM THE REGION SHOULD MAKE IT TO THE HOST MASTER
TONIGHT. YOUR REQUEST WAS FILLED.

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OCT 29 1992

From: DWR70::CARLSEN 23-JAN-1989 13:26
To: CARLSEN, DWR03::SH
Subj:

SUBJECT: Notice of Claim No. A22-07325, received 08/17/1988, needs to be deleted.

PROBLEM: On 08/17/1988, Webster Deep Well Warms filed several notices which are reflected on receipt E001376. Notice No. A22-07325 was submitted on a long form and contains a land list for 808 acres. The fee for this claim as show on E001376 was \$858.00. The fee therefore corresponds with the acreage listed on the long form claim. However, apparantly on 08/17/1988 a notice was also generated in the data base. This notice was updated to the Host Master. But it contains a land list for 920 acres which was filed for on the permit. The 808 acres is based on the findings of the licensing field exam.

On 19 January 1988, Notice A22-07325 was data enterred based on the long form claim. However, because that number already exits in the Host Master the newer notice will not update.

SOLUTION: Before the Notice prepared on 19 January, 1989 will update to the Master Host, the Notice already in the Master Host must be deleted. The receipt number on both notices is the same, so no receipt modifications are necessary.

FOLLOWUP; No followup with the claimant is necessary.

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OCT 29 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME WEBSTER'S DEEP WELL FARM INC. CLAIM ID# NO. A22-7325DATE RECEIVED 8-17-88CK # 2141AMOUNT \$ 2945

	YES	NO
1. Is the name and address complete with zip code?	<u>X</u>	
2. Is a priority date entered?	<u>X</u>	
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?		
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	<u>X</u>	
(b) Is a tributary to entered? (if required)	N/A <u>X</u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	
5. Is there a description of the diverting works?	<u>X</u>	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	
Is the period of use included?	<u>X</u>	
Is a quantity claimed for each use?	<u>X</u>	
7. Is a total quantity claimed entered?	<u>X</u>	
8. If required is a consumptive use entered?	N/A <u>X</u>	
Is the consumptive use correct?	N/A <u>X</u>	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	N/A <u>X</u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	
11. Is (are) the county(ies) entered?	<u>X</u>	
12. Is the ownership of p.u. checked?	<u>X</u>	
13. Are other water rights listed or "none" indicated?	<u>X</u>	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A <u>X</u>	
15. Is the basis of the claim indicated?		
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	<u>X</u>	
Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	
Was this claim filed on time, or was an extension granted?	<u>X</u>	
Is the fee enclosed correct?	Exempt <u>X</u>	
If this claim is based on an existing water right, has the identification number been entered?	N/A <u>X</u>	
Should this claim be receipted and data entered?	<u>X</u>	

Claim checked by: ARM

Comments: _____

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OCT 29 1992

E001316