

05/17/2005

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

RIGHT NUMBER: 27-12008

NAME AND ADDRESS: PAUL WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

JOHN WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

CRAIG WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

DIANE WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

SOURCE: SPRING CREEK TRIBUTARY: TRAIL CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/30/1910

POINT OF DIVERSION:

T08S R43E S5 NENENW End of Stream Flow Within CARIBOU County
T08S R43E S5 SWSENW Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/15	0.020 CFS

PLACE OF USE: STOCKWATER Within BANNOCK County

T08S R43E S05	NENW	T08S R43E S05	SENW
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

The remainder of this right was forfeited for non-use from 1974 to 2005.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 27-2020.

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 27-12008
Date Received: 6/10/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

PAUL WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

JOHN WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

CRAIG WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

DIANE WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

2. Date of Priority: 12/30/1910

3. Source: SPRING CREEK , SPRING CREEK , SPRING CREEK Trib. to: TRAIL CREEK ,
TRAIL CREEK , TRAIL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	43E	5	SE NE NW	~~BAKER~~	
08S	43E	5	SW SE NW	~~BAKER~~	Beginning Point
08S	43E	5	NE NE NW	~~BAKER~~	Ending Point

Caribou

5. Description of diverting works:

DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.1	
STOCKWATER	05/01	11/15	0.02	
DOMESTIC	05/01	11/15	0.02	

7. Total Quantity Appropriated is:
1.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	43E	5	SW	NE	IRRIGATION	20
			NE	NW	IRRIGATION	10
			SE	NW	IRRIGATION	25
			NE	SE	DOMESTIC	
			NE	NW	STOCKWATER	
			SE	NW	STOCKWATER	
Section Acres						55
Total Acres						55

11. Place of use in counties: ~~BANNOCK~~ *Caribou*

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

13. Other Water Rights Used:

14. Remarks:

CLAIM BASED OFF OF 27-2020 LICENSE

INSTREAM STOCK, CANVAS DAMS FOR IRRIGATION

15. Basis of Claim: License

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: 27-12008
Ident. Number 39576
Date Received 27-2020
Receipt Number ED29937

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 07 2004

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Paul & Chae Webster & John & Diane Webster Phone (801) 544-2655

Mailing Address 322 So Angel, Kaysville Utah Zip 84037

2. Date of Priority (Only one (1) per claim) 12/30/1910

3. Source of water supply (a) Spring Creek
which is tributary to (b) to trail Creek

4. a. Location of existing point of diversion is: Township 8S Range 43E Section 5,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

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

Township 8S Range 43E Section 5, SW 1/4 of SE 1/4 of NW 1/4,
Govt. Lot _____ B.M., County of Bannock Co.

ending point is: Township 8S Range 43E Section 5, NE 1/4 of NE 1/4 of
NW 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. dams.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/31 amount 1.10 or _____

For domestic/stock purposes from 5/1 to 11/5 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.10 (cfs) and/or (b) _____ (acre feet)

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

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

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	
8S	43E	5			20		10			25									55
8S	43E	5					5			5					D				

Total number of acres irrigated 55

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

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.
NONE or None ()

14. Remarks: In-stream stock, canvas dams for irrigation

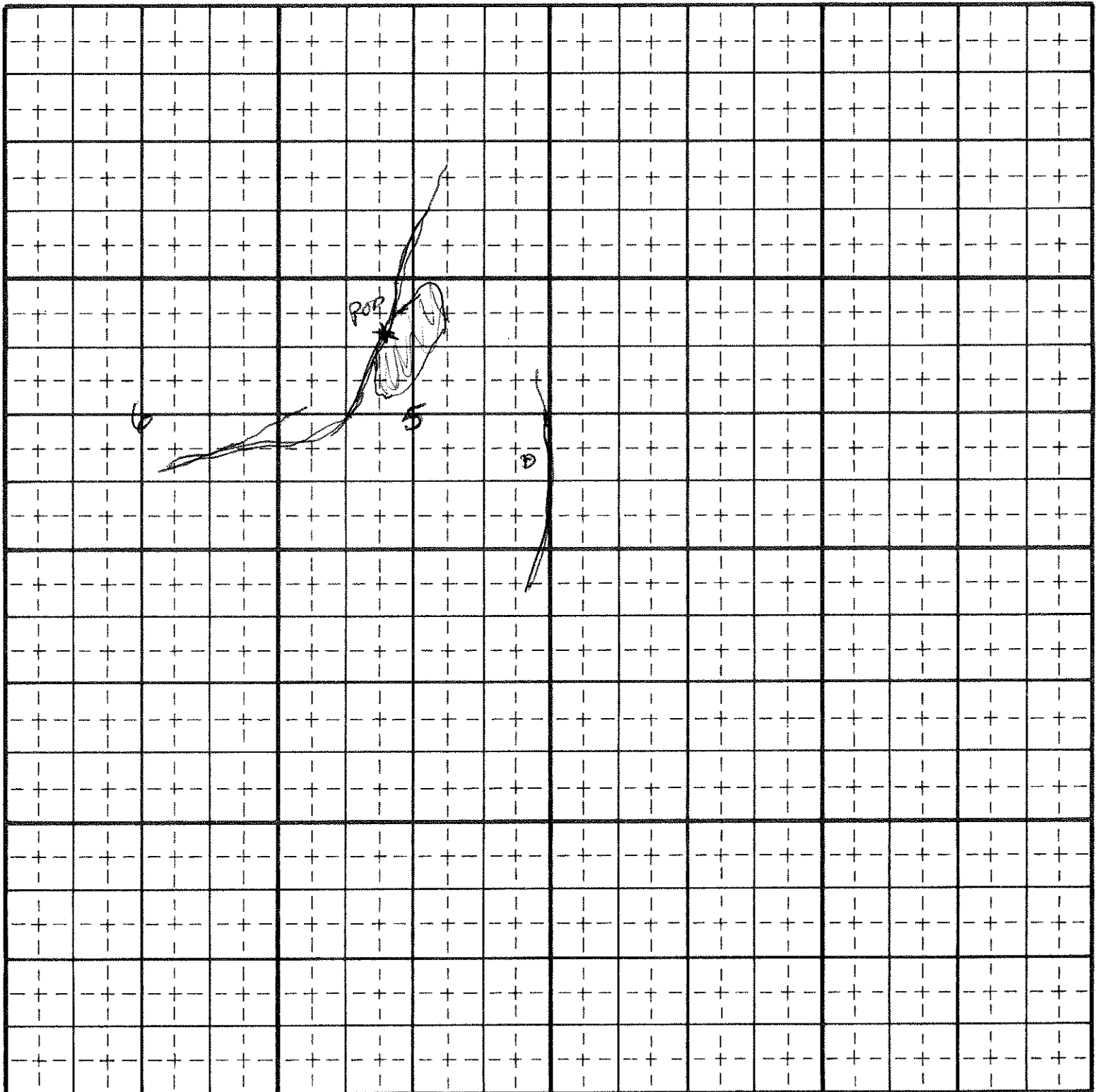
Last Name Webster Ident No. 27-2020

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T8S R43E



Last Name Webster

Ident No. 27-2020

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 X
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.

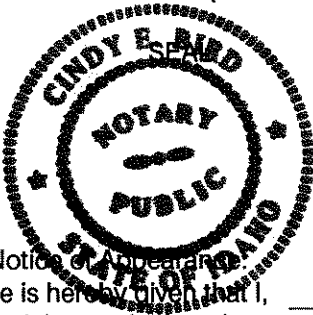
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 4th day of June 19 2004



Notary Public Cindy E. Bird
Residing at Lava Hot Springs, ID
My Commission Expires May 1, 2007
Please Print Name Cindy E. Bird

17. Notice of Appearance
Notice is hereby given that I, Paul W. Webster 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 Paul W. Webster
Address 322 So Angel Kayville Utah 84037
Date 6/4/04

Last Name Webster Ident. Number 27-2020

FOR SALE BY

~~14-1-1948~~

**TOWNSHIP 8 S., RANGE 43 E. E
CARIBOU COUNTY, IDAHO**

