

09/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13458

NAME AND ADDRESS: FRANKO FARMS INC
C/O BART WEBSTER
445 MILL HOLLOW RD
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.920 CFS
249.00 AFY

The rate of diversion for the well within the NENW, Section 19, Twp. 5N,
Rge. 41E is limited to 7.38 cfs.

The rights listed below are limited to a total combined diversion rate of
18.27 cfs and to a total combined annual diversion volume of 6,625.5 AF.
Combined Right Nos.: 22-2247, 22-7071, 22-7156, and 22-13458.

PRIORITY DATE: 12/29/1982

POINT OF
DIVERSION:

T05N R40E S24 NWSWNW Within MADISON County
T05N R41E S19 SWSWNE Within MADISON County
T05N R41E S19 SENENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.920 CFS 249.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S13	NENE	27.00	T05N R40E S13	NWNE	34.00
T05N R40E S13	SWNE	37.00	T05N R40E S13	SENE	39.00
T05N R40E S13	NESE	40.00	T05N R40E S13	NWSE	37.00
T05N R40E S13	SWSE	40.00	T05N R40E S13	SESE	40.00
T05N R40E S14	NENE	14.00	T05N R40E S14	NWNE	20.00
T05N R40E S14	SWNE	40.00	T05N R40E S14	SENE	35.00
T05N R40E S14	SENW	20.00	T05N R40E S14	NESW	14.00
T05N R40E S14	NESE	40.00	T05N R40E S14	NWSE	40.00
T05N R40E S14	SWSE	28.00	T05N R40E S14	SESE	40.00
T05N R40E S23	NENE	19.00	T05N R40E S23	NWNE	7.00
T05N R40E S24	NENE	40.00	T05N R40E S24	NWNE	40.00
T05N R40E S24	SWNE	40.00	T05N R40E S24	SENE	40.00
T05N R40E S24	NENW	40.00	T05N R40E S24	NWNW	19.00
T05N R40E S24	SWNW	18.00	T05N R40E S24	SENW	40.00
T05N R41E S17	SWSW	38.00	T05N R41E S17	SESW	39.00
T05N R41E S18	NESW	37.00	T05N R41E S18 Lot 3	NWSW	29.00
T05N R41E S18 Lot 4	SWSW	40.00	T05N R41E S18	SESW	39.00
T05N R41E S19	SWNE	40.00	T05N R41E S19	SENE	40.00
T05N R41E S19	NENW	39.00	T05N R41E S19 Lot 1	NWNW	40.00

T05N R41E S19 Lot 2 SWNW	40.00	T05N R41E S19	SENW	40.00
T05N R41E S19	NESW	40.00	T05N R41E S19 Lot 3 NWSW	40.00
T05N R41E S19 Lot 4 SWSW	40.00	T05N R41E S19	SESW	40.00
T05N R41E S19	NESE	40.00	T05N R41E S19	NWSE
T05N R41E S19	SWSE	40.00	T05N R41E S19	SESE
T05N R41E S20	NENW	40.00	T05N R41E S20	NWNW
T05N R41E S30	NENE	40.00	T05N R41E S30	NWNE
T05N R41E S30	NENW	33.00	T05N R41E S30 Lot 1 NWNW	32.00

1893 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1893 acres in a single irrigation season. Combined Right Nos.: 22-2247, 22-7071, 22-7156, and 22-13458.

This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - License

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

This right is renumbered from former right 22-7418B.

The following rights are also diverted through points of diversion described above: 22-2247, 22-7071, and 22-7156.

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 22-13458
Date Received: 8/24/1988
Receipt No:
Received By:

This right is renumbered from former right 22-7418B.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANKO FARMS INC Phone: (208)356-6611
C/O FRANK WEBSTER
PO BOX 323
REXBURG ID USA 83440

2. Date of Priority: 01/03/1983

3. Source: GROUND WATER , GROUND WATER , GROUND WATER Trib. to: , ,

4. Point of Diversion:

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

5. Description of diverting works:

3 WELLS PUMP INTO COMMON MAINLINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.57	

7. Total Quantity Appropriated is:
0.57 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
05N	40E	13	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
					Section Acres	80
					Total Acres	80

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is renumbered from former right 22-7418B.

LAND UNDER CLAIM IS LEASED BY FRANKO FARMS INC. FROM JOHN SMITH. BY AGREEMENT
FRANKO FARMS USES THEIR OWN IRR. SYSTEM TO IRRIGATE THIS LEASED LAND.

15. Basis of Claim: Permit

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: A22-07418B
Date Received: 7/19/1988 8-24
Receipt No: 6001701
Received By: 881

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: JAN 03, 1983

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 MAINLINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.570		

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

A.F.A.

8. Total consumptive use is

200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2207418B

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	13	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

22-07071/07156/02247 SAME POINTS OF DIVERSION

14. Remarks:

LAND UNDER CLAIM IS LEASED BY FRANKO FARMS INC. FROM JOHN SMITH. BY AGREEMENT FRANKO FARMS USES THEIR OWN IRR. SYSTEM TO IRRIGATE THIS LEASED LAND.

15. Basis of Claim: PERMIT

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
FRANKO FARMS INC., that I have signed the foregoing
Organization
document in the space below as Sec of
FRANKO FARMS INC and that the statements contained in the
Organization
foregoing document are true and correct.

Bryan H. White
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

Carsten Jentschke
Notary Public

Seal

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

REF: 62-100

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Handwritten: 77X/1

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