

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: A43-02084
Date Received: 4/14/1989
Receipt No: S006873
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEBB BROS. 208-349-5740
Address: STAR RT. BOX 55
DECLO, ID 83323

2. Date of Priority: OCT 19, 1910

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	27E	24	NE	SW	NW		CASSIA

5. Description of diverting works:
WEIR TO OPEN DITCH TO POND & PUMP, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	27E	23	SE	SE		IRR	30.0
						Section Acres	30.0
		24	SW	NE		IRR	28.0

A43-02084

Page 1

Date: 04/14/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	27E	24	SE	NE		IRR	40.0
			SW	NW		IRR	25.0
			SE	NW		IRR	12.0
			NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			SE	SW		IRR	35.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	32.0
			SE	SE		IRR	30.0
						Section Acres	357.0
		25	NE	NE		IRR	30.0
			NW	NE		IRR	37.5
			SW	NE		IRR	32.5
			SE	NE		IRR	30.0
			NE	NW		IRR	29.0
			NW	NW		IRR	40.0
						Section Acres	199.0
		26	NE	NE		IRR	30.0
						Section Acres	30.0
	28E	19	SW	NW		IRR	15.0
			NW	SW		IRR	37.0
			SW	SW		IRR	10.0
						Section Acres	62.0
						Total Acres	678.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:
RAFT RIVER WATER IS COMBINED WITH GROUNDWATER AND USED IN ONE
IRRIGATION SYSTEM AND MAY BE ACTUALLY USED TO IRRIGATE ANY
77.0 ACRES WITHIN THE P/U. THIS WR ORIGINALLY LIMITED TO

14. Remarks: Continued

77.0 ACRES.

*****OTHER WR'S USED AND CLAIMED*****

A43-04203A A43-04203B A43-04198

A43-04016B A43-04017 A43-10087

A43-02180 A43-02264 A43-02084

15. Basis of Claim: LICENSE

Water Right Number: 6929

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 Organizations:

I do solemnly swear or affirm that I am Partner of _____
Title

Webb Bros., that I have signed the foregoing
Organization
document in the space below as Partner of _____
Title

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

Allan L Webb
Signature of Authorized Agent

Partner Webb Bros.
Title and Organization

April 14, 89
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of April 19 89

Steve Cullen
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

43-2084



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED
FEB 26 2001
Department of Water Resources
Southern Region

☐ Water Right Number(s): Refer to attached Form

☐ Old Mailing Address: Webb Bros or Webb Brothers
or Webb Brothers Land + Livestock LLC

Star Rt Box 55

Declo Id 83323

☐ New Mailing Address: ~~Webb Brothers Land + Livestock LLC~~

22 N Yale rd

Declo Id 83323

☐ New Telephone Number: (208) 349-5740

☐ Signature of Claimant(s): Mark Webb

Date: Feb 23-2001

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: 2/24/01 By: 2/24/01

Basin/Num	Sequence	Split	Basin	Priority Date	Diversion	Source List	Water Use	Li Owner List	Source Table
43	2084	✓	License	10/19/10	1.5	RAFT RIVER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	2180	✓	License	12/17/14	1.6	RAFT RIVER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	2264	✓	License	8/23/30	1.7	RAFT RIVER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	4016 B	✓	Statutory Claim	5/29/52	4	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	4017	✓	Statutory Claim	5/29/52	3.1	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	4198	✓	Statutory Claim	3/10/61	3.4	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	4203 A	✓	Statutory Claim	4/1/61	1.86	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	4203 B	✓	Statutory Claim	4/1/61	0.54	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	10087	✓	Beneficial Use	11/19/87	7.1	GROUND WATER	IRRIGATION	WEBB BROS (wrAdjudicationClaim	
43	10088	✓	Beneficial Use	12/31/83	0.23	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10089	✓	Beneficial Use	12/31/83	0.23	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10090	✓	Beneficial Use	3/31/87	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10091	✓	Beneficial Use	12/31/79	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10092	✓	Beneficial Use	4/30/81	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10093	✓	Beneficial Use	5/31/79	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10094	✓	Beneficial Use	5/1/79	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		
43	10095	✓	Beneficial Use	5/31/80	0.13	GROUND WATER	DOMESTIC, ;WEBB BROS (wrAdjudicationClaim		

A43-02417 F

A43-04061 F

A43-04064 F

A43-02418 F

A43-04062 F

A43-04060 F

A43-04063 F

43-07307

KC JR
RECEIVED
FEB 19 2002
Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase 43-02084

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____) Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Webb Bros

Address: 22 N Yale RD; Declo, Idaho 83323

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002
Linda C. Buck



Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Webb Bros

Address: 22 N Yale RD; Declo, Idaho 83323

Name:

Address: ;

Name:

Address: ;

Name:

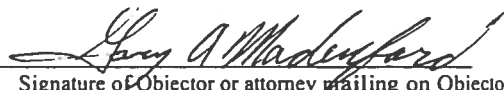
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-2084
NAME AND ADDRESS: WEBB BROS
22 N YALE RD
DECLO ID 83323

**-POU ON BLM
-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LAND**

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.500 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE. COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10084,
43-2084, 43-2180, AND 43-2264.

PRIORITY DATE: 10/19/1910

POINT OF
DIVERSION:

T10S R27E S24 NWSEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	1.500 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R27E S23 <u>BLM</u>	SENE	1.2	T10S R27E S23	NESE	23.0
T10S R27E S23	SESE	38.0	T10S R27E S24	SWNE	30.0
T10S R27E S24	SENE	40.0	T10S R27E S24	SWNW	29.0
T10S R27E S24	SENE	23.0	T10S R27E S24	NESW	40.0
T10S R27E S24	NWSW	40.0	T10S R27E S24	SWSW	40.0
T10S R27E S24	SESW	40.0	T10S R27E S24	NESE	36.0
T10S R27E S24	NWSE	40.0	T10S R27E S24	SWSE	30.0
T10S R27E S24	SESE	23.0	T10S R27E S25	NENE	31.0
T10S R27E S25	NWNE	34.0	T10S R27E S25	SWNE	33.0
T10S R27E S25	SENE	32.0	T10S R27E S25	NENW	4.3
T10S R27E S25	NWNW	39.0	T10S R27E S26	NENE	35.0
T10S R28E S19 Lot 2	SWNW	10.0	T10S R28E S19 Lot 3	NWSW	33.0
T10S R28E S19 Lot 4	SWSW	11.0			

735.5 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 735.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-13071, 43-13073, 43-13063, 43-10084, 43-2084, 43-2180, AND 43-2264.

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

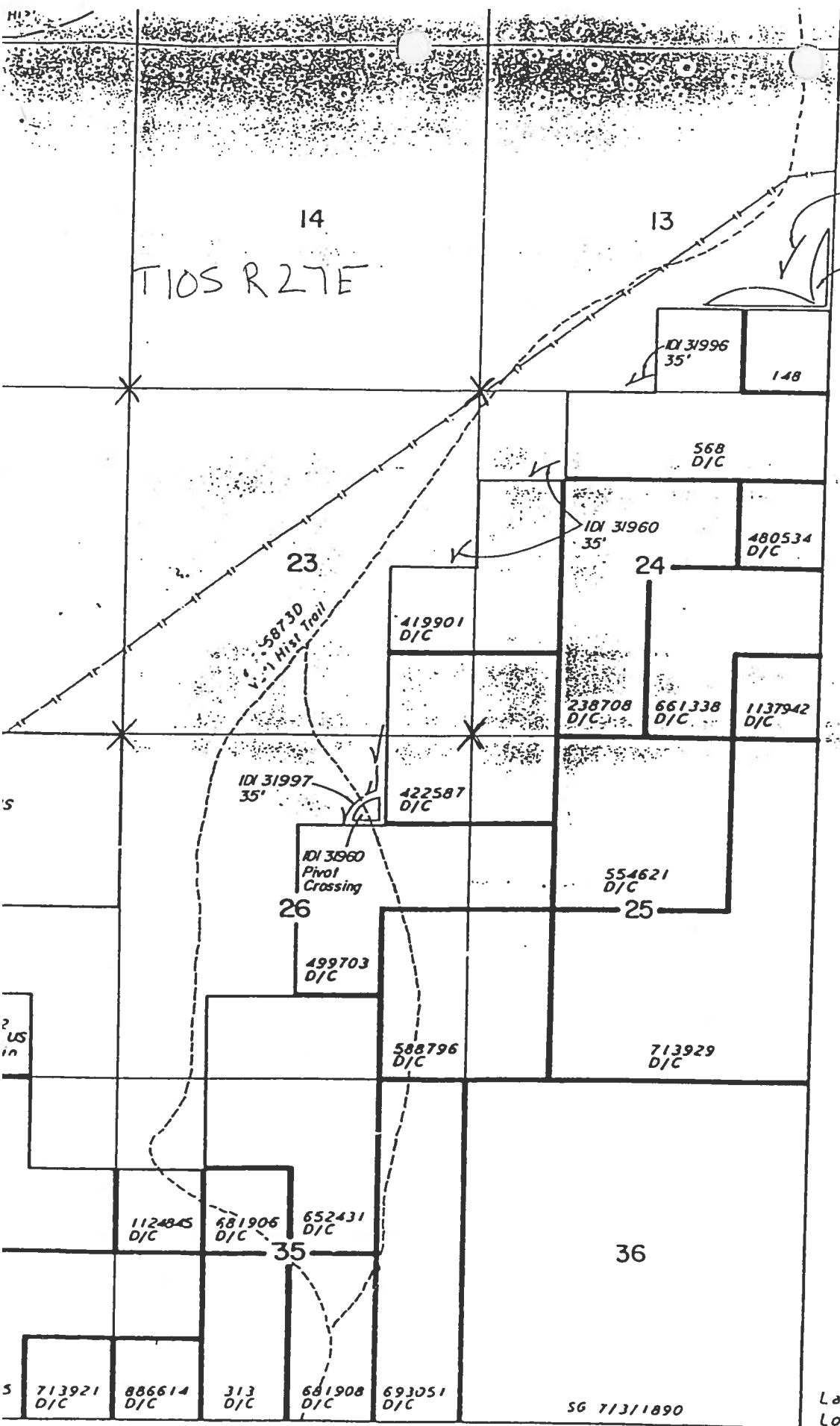
-THERE IS NO USE TAKING PLACE AT THE AFFECTED POU

09/19/2001

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

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IDI 258730 N
 Historical
 public-acc
 IDI 258730 N
 Historical
 public-acc



FOR ORDERS E/F
 UNIDENTIFIED L
 MISCELLANEOUS

CURRENT
USE PLATS

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT
 ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE D/A

STATUS OF PUBLIC DOMAIN
AND MINERAL TITLES:

CASSIA COUNTY 0312

MT PLAT

[illegible]

1. 22ND MEET AA RA SPEAKER FOR REGISTRATION
twenty of Lake Volcano, all lands lying 3 of

Seabe Alms
Seep 1 pp. 4 Incl

Sept 9 to 16 Inc!

Sept 21 to 28 Inc!

1941 M. of R. 1205

Historical information only, not for design

000326 211000d

104 258730 National Trail
 Historical information only, does not include
 subject areas

中華民國九十四年九月一日

Journal of Management Inquiry 20(6) 789-804
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.....

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

[illegible]

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

FOR ORDERS EFFECTING DISPOSAL ON USE OF
UNCLASSIFIED INFORMATION

MISCELLANEOUS DOCUMENTS

Currency IN TO	Currency TO
----------------	-------------

[illegible]

U.S. 94-12

--

ALL REPRESENT THE LAST EFFECTIVE DATE. SEE

TYPE OF THE ORIGINAL WITH-

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL.

SCALE OF ENGINE

Y. 103
R. 276



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 2001

WEBB BROS
22 N YALE RD
DECLO, ID 83323

RE: DATA ENTRY REMARK ERROR IN 43-13071, 43-13073, 43-13063, 43-10087, 43-2084, 43-2180, AND 43-2264.

Dear Tod:

Based on our telephone conversation, I have enclosed for your use two different forms for each right that are used in the SRBA. After reviewing the claims I found that claim groups could categorize the data entry errors. The remark errors are identical in the following groups;

1. 43-2084, 43-2180, and 43-2264. The quantity and the place of use remarks have the error.
2. 43-13071, 43-13063, and 43-10087. (Explanatory remarks are not decreed by the SRBA) Two quantity remarks and one place of use remark have the error
3. 43-13073. Two quantity remarks have the same typo error but one remark was duplicated. The duplicate remark is identified by the strike out feature. One place of use remark had the same typo error and a second remark included 5 rights that should not have been listed. They are identified by the strike out feature

The Standard Form 1 Objection Form (objection form) will alert the court that there is a problem --however small-- in the way IDWR recommended your water right. Please fill out the objection forms (one for each claim), noting item D 3 on page 2 concerning the quantity remark errors and item D 9 concerning the place of use remark errors. The explanatory remark errors are not to be identified. In item E on page 2, the reason(s) should probably be identified as a clerical error.

The objection forms need to be notarized and the originals sent to the SRBA Court before the close of the objection period on February 8, 2002. Please follow the instructions for mailing copies of the forms found on page 4, the Certificate of Mailing.

The Standard Form 5 (sf5) is the standard settlement agreement form used to resolve objections. Please review the enclosed sf5s carefully, especially the description (recommendation) of your water right (page 2 of the sf5). If the information contained in the sf5 forms meets with your approval, please sign the first page and initial the recommendation page. Please return the sf5 forms to IDWR in the envelope provided. After the objection period closes in February, IDWR will file the sf5 with the SRBA Court and send you a signed copy. If no other objections to your water rights are received, your rights will proceed to partial decree based on the corrected recommendations.

Should you have further questions on the recommendation of your rights, please call me at 208-736-3033 or contact me through the e-mail address below. For questions regarding the objection or settlement process, please contact Vicki Kelly, Paralegal, at 208-327-5458. Thank you for your assistance in this matter.

Sincerely,

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

enclosures

IDAHO DEPARTMENT OF WATER RESOURCES 10/19/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 43-2084

NAME AND ADDRESS: WEBB BROS
22 N YALE RD
DECLO ID 83323

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.50 CFS
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE. COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10087,
43-2084, 43-2180, AND 43-2264.

PRIORITY DATE: 10/19/1910

POINT OF DIVERSION:
T10S R27E S24 NWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.500 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R27E S23	SENE	1.2	T10S R27E S23	NESE	23.0
T10S R27E S23	SESE	38.0	T10S R27E S24	SWNE	30.0
T10S R27E S24	SENE	40.0	T10S R27E S24	SWNW	29.0
T10S R27E S24	SENE	23.0	T10S R27E S24	NESW	40.0
T10S R27E S24	NWSW	40.0	T10S R27E S24	SWSW	40.0
T10S R27E S24	SESE	40.0	T10S R27E S24	NESE	36.0
T10S R27E S24	NWSE	40.0	T10S R27E S24	SWSE	30.0
T10S R27E S24	SESE	23.0	T10S R27E S25	NENE	31.0
T10S R27E S25	NWNE	34.0	T10S R27E S25	SWNE	33.0
T10S R27E S25	SENE	32.0	T10S R27E S25	NENW	4.3
T10S R27E S25	NWNW	39.0	T10S R27E S26	NENE	35.0
T10S R28E S19 Lot 2	SWNW	10.0	T10S R28E S19 Lot 3	NWSW	33.0
T10S R28E S19 Lot 4	SWSW	11.0			

735.5 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 735.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-13071, 43-13073, 43-13063, 43-10087, 43-2084, 43-2180, AND 43-2264.

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: License

Water Right 43-2084

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No.: 43-02084
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
_____	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Signature of Authorized Agent Date

Title and Organization

COPY

IDWR Concurrence Date
Sr Water Resource agent

Approved as to form Date
Attorney for IDWR



10/19/2001

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

RIGHT NUMBER: 43-2084
NAME AND ADDRESS: WEBB BROS
22 N YALE RD
DECLO ID 83323

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.500 CFS
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE. COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10087,
43-2084, 43-2180, AND 43-2264.

PRIORITY DATE: 10/19/1910

POINT OF
DIVERSION: T10S R27E S24 NWSEW Within CASSIA County

COPY

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.500 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R27E S23	SENE	1.2	T10S R27E S23	NESE	23.0
T10S R27E S23	SESE	38.0	T10S R27E S24	SWNE	30.0
T10S R27E S24	SENE	40.0	T10S R27E S24	SWNW	29.0
T10S R27E S24	SENW	23.0	T10S R27E S24	NESW	40.0
T10S R27E S24	NWSW	40.0	T10S R27E S24	SWSW	40.0
T10S R27E S24	SESW	40.0	T10S R27E S24	NESE	36.0
T10S R27E S24	NWSE	40.0	T10S R27E S24	SWSE	30.0
T10S R27E S24	SESE	23.0	T10S R27E S25	NENE	31.0
T10S R27E S25	NWNE	34.0	T10S R27E S25	SWNE	33.0
T10S R27E S25	SENE	32.0	T10S R27E S25	NENW	4.3
T10S R27E S25	NWNW	39.0	T10S R27E S26	NENE	35.0
T10S R28E S19 Lot 2	SWNW	10.0	T10S R28E S19 Lot 3	NWSW	33.0
T10S R28E S19 Lot 4	SWSW	11.0			

735.5 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 735.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.
43-13071, 43-13073, 43-13063, 43-10087, 43-2084, 43-2180, AND 43-2264.

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

CERTIFICATE OF SERVICE

I certify that on _____, 2001, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Webb Bros
22 N Yale Rd
Declo, ID 83323

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

COPY

Signature of person or attorney mailing the form

08/01/2001

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

RIGHT NUMBER: 43-2084

NAME AND ADDRESS: WEBB BROS
22 N YALE RD
DECLO, ID 83323

VERIFIED BY KKC

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.5 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN 1.02 CFS PER ACRE. COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10084, 43-2084, 43-2180, AND 43-2264.

PRIORITY DATE: 10/19/1910

POINT OF DIVERSION: T10S R27E S24 NWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	1.50 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T10S R27E S23	SENE	1.2	T10S R27E S23	NESE	23
T10S R27E S23	SESE	38	T10S R27E S24	SWNE	30
T10S R27E S24	SENE	40	T10S R27E S24	SWNW	29
T10S R27E S24	SENE	23	T10S R27E S24	NESW	40
T10S R27E S24	NWSW	40	T10S R27E S24	SWSW	40
T10S R27E S24	SESW	40	T10S R27E S24	NESE	36
T10S R27E S24	NWSE	40	T10S R27E S24	SWSE	30
T10S R27E S24	SESE	23	T10S R27E S25	NENE	31
T10S R27E S25	NWNE	34	T10S R27E S25	SWNE	33
T10S R27E S25	SENE	32	T10S R27E S25	NENW	4.3
T10S R27E S25	NWNW	39	T10S R27E S26	NENE	35
T10S R28E S19 LOT 2	SWNW	10	T10S R28E S19 LOT 3	NWSW	33
T10S R28E S19 LOT 4	SWSW	11			

735.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 735.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-13071, 43-13073, 43-13063, 43-10084, 43-2084, 43-2180, AND 43-2264.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 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

Webb Bros
Surface Water Rights

43-2084, 43-2180, 43-2264

All three rights are claimed as overlapping on the North System. They were licensed as overlapping 1 with each of the 3 systems.

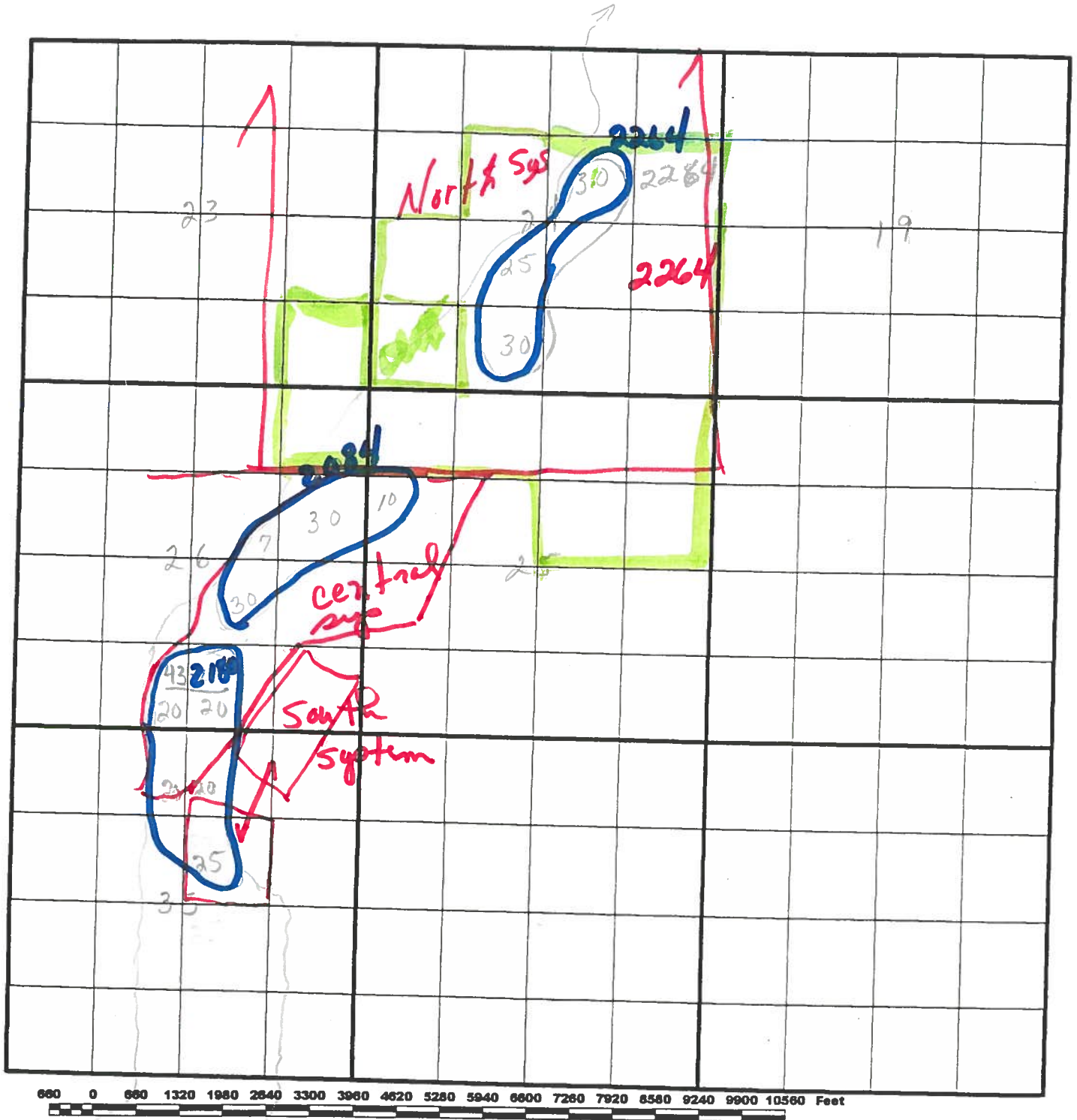
43-2264 o/c with the North System

43-2084 o/c with the Central System

43-2180 o/c with the Southern System.

All rights are claimed out of the same P/D.

IDAHO DEPARTMENT OF WATER RESOURCES



Surface water

2264 - 85ac	0 L with	13071
2180 - 105ac	0 L with	13073
2084 - 75ac	43 - 4198	
	43 - 4203A	

State of Idaho

License and Certificate of Water Right

Water License No. 6929

Water District No. 8-A

Amount 1.5 cfs.

Priority 10-19-10

THIS IS TO CERTIFY that EDGAR A. CUMMINGS
of Yale, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 19, 1910; that Permit No. 6929
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2
second feet, was issued thereunder on June 20th, 1914, showing that said works
were completed on the 17th day of June, 1914; and that on the 30th
day of March, 1918, EDGAR A. CUMMINGS

of Yale, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of a right to the use of the waters of Raft River
a tributary of Snake River, for the purpose of irrigation and domestic use,
under Use Permit No. 6929 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2274, on the 2d
day of May, 1918.

The right hereby confirmed dates from October 19th, 1910;

The Point of Diversion is located in the center of
SE 1/4 NW 1/4, Sec. 35, Tp. 10 S., R. 27 E., B.M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	27 E.	25	SW 1/4 NW 1/4		10
10 S.	27 E.	26	SE 1/4 NE 1/4		30
10 S.	27 E.	26	SW 1/4 NE 1/4		7
10 S.	27 E.	26	NW 1/4 SE 1/4		30

The right to the use of the water aforesaid 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 Engineer, affixed at Boise, Idaho, this 2d
day of May, 1918.

(SEAL)

FRED A. WILKIE

State Engineer.

43 2084

REPORT OF ENGINEER

This project is for BENEFICIAL USE.In Water District No. B. A.State name of applicant and number of permit: Edgar A. Cummings - Permit 6929State source of water supply: Raft RiverLocation of point of diversion: Center SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, T. 10 S., R. 27 E., B. 1.

Describe works as they exist, giving dimensions and capacities of same:

State whether or not water has been turned into works of diversion: Yes

Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 25, T. 10 S., R. 27 E., B. 1.SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, T. 10 S., R. 27 E., B. 1.10 AcresSE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 2530 "SW $\frac{1}{4}$ of NE $\frac{1}{4}$ "7 "SW $\frac{1}{4}$ of SE $\frac{1}{4}$ "30 "Total77 Acres

Submit map on enclosed plat, showing location and details of above description.

How many parties conduct water in this system?

Give names and amount of each right:

What large stream would the water here appropriated finally reach? Raft River

Describe the various tributaries en route, from point of diversion to the principal drainage stream.

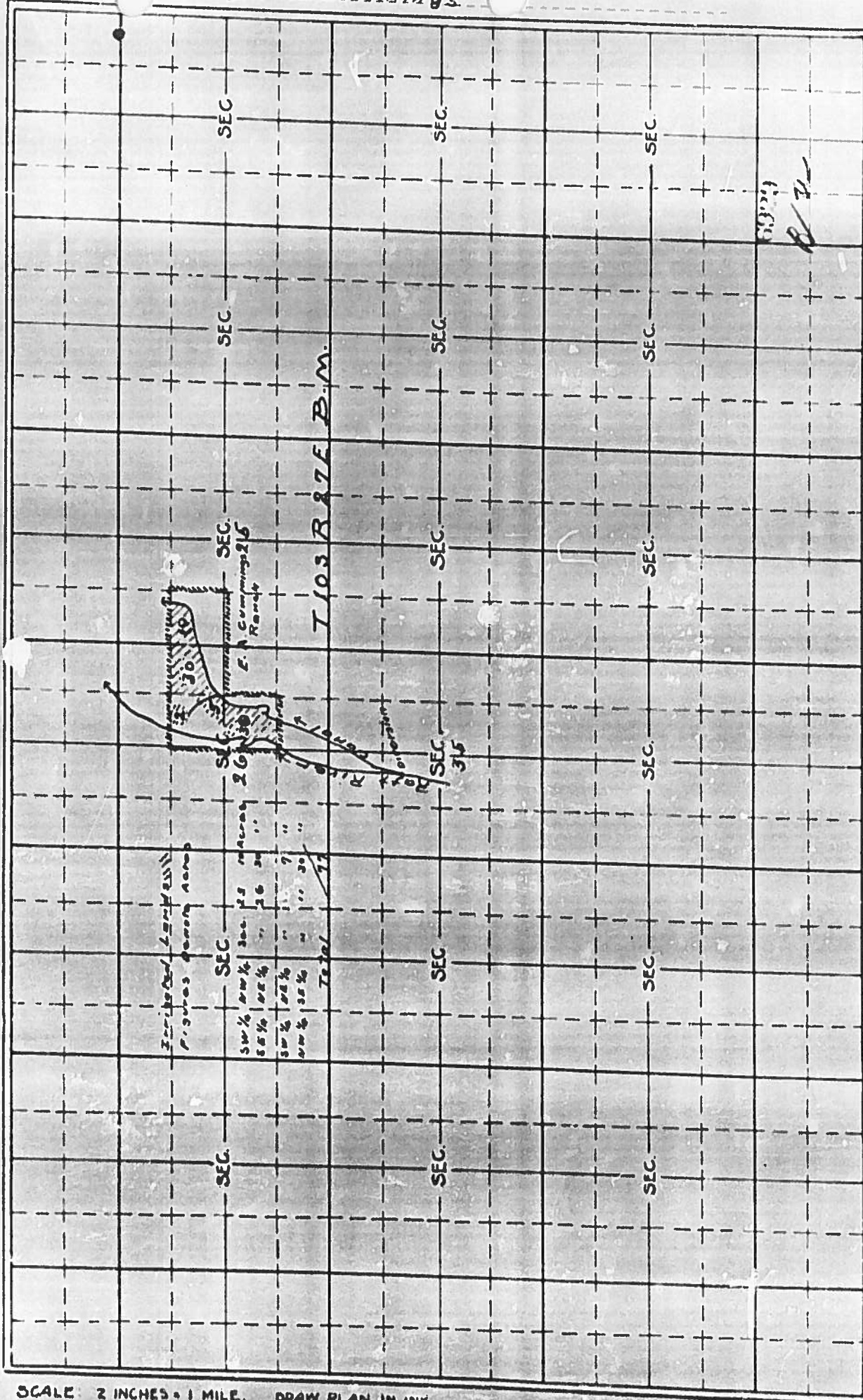
None.This examination was made on the 30th day of March, 1918

(Signed)

H. H. Palmer

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Name of Applicant Edgar A. Cummings



SCALE 2 INCHES = 1 MILE. DRAW PLAN IN INK

G.

CERTIFICATE OF MAILING

I certify that on October 29, 1992001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Webb Bros
Address: 27 N. Lake Rd
Declo Id 83323

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Holly Ottley
Signature of Objector or attorney mailing on Objector's behalf

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: Webb Bros.
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity** In the # 10084
Should be: remark 43-~~2087~~ should be 43-~~2087~~ 10087
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use** In the
Should be: Remarks 43-10084 should be 43-10087
11. I object because:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

I believe this was a clerical error

