

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 43-2354A
Date Received: 2/26/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

BUSHMAN FARM AND LIVESTOCK CO LP Phone: (801)768-8730

680 W MAIN
LEHI UT USA 84043

2. Date of Priority: 09/17/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	26E	14	NW SE	CASSIA	
12S	26E	14	SW SE	CASSIA	

5. Description of diverting works:

16 in by 239 ft well and 14 in by 220 ft well, both with 75 hp pumps

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.15	

7. Total Quantity Appropriated is:
0.15 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
43-2354A			02/26/2001		

12S	26E	14	SW	SE	IRRIGATION	5
			SE	SE	IRRIGATION	5
					Section Acres	10
					Total Acres	10

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:

14. Remarks:

Original claimants for 43-02354, Allen & Thelma Sexton, were selling to John Larson on contract. Webb Brothers purchased property from Larson for cash. Larson then paid off the Sextons who released obligations and issued a warranty deed. Webb Brothers transferred water from their portion (part B) to other property and sold 10 acres back to Larson (Part A) on contract. Larson has now sold to Bushman Farm and Livestock. jr

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
DEC 12 2000
Department of Water Resources
Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-02354A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Webb Brothers Land & Livestock, LLC
22 North Yale Road
Declo, ID 83323
4. New Owner/Claimant(s) John A. Larson and Shelly L. Larson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 368 West 400 South
- City, State and ZIP Code Heyburn, ID 83336
- New Telephone Number (208) 436-4348
5. Date you acquired the property November 30, 2000

272359

WARRANTY DEED

272359 #33549-A

For Value Received

CASSIA COUNTY, IDAHO
DARNELL M. ROSKELLEY
RECORDER

FEE 600 DEPUTY Lin

WEBB BROTHERS LAND & LIVESTOCK, LLC

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

'00 DEC 1 PM 3 15

JOHN A. LARSON and SHELLY L. LARSON, husband and wife

Address: 368 West 400 South
Heyburn, Idaho 83336

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 26 EAST, BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 14: S½

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Water License Claim No. 43-02354A for 10 acres and .15 cfs.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 28, 2000

WEBB BROTHERS LAND & LIVESTOCK LLC

By: Todd B. Webb
Todd Webb, Member

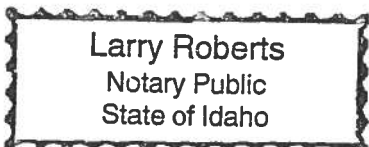
By: Mark Webb
Mark Webb, Member

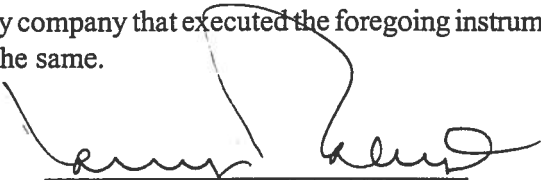
By: Scott C. Webb
Scott Webb, Member

By: Allan L. Webb
Allan L. Webb, Member

STATE OF IDAHO)
)ss.
COUNTY OF Cassia)

On this 29th day of November, 2000, before me, the undersigned, a Notary Public, personally appeared **TODD WEBB, MARK WEBB, SCOTT WEBB and ALLAN L. WEBB** known or identified to me to be the members of **Webb Brothers Land & Livestock LLC** the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.





Notary Public
Residing at: Burley, ID
My Commission Expires: 6-30-03

13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
DEC 12 2000
Department of Water Resources
Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-02354A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John A. Larson and Shelly L. Larson
368 West 400 South
Heyburn, Idaho 83336

4. New Owner/Claimant(s) Bushman Farm and Livestock Co., L.P.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 680 West Main

City, State and ZIP Code Lehi, Utah 84043

New Telephone Number (801) 768-8730

Date you acquired the property November 30, 2000

WARRANTY DEED

272360

#33549-B

27236

For Value Received

JOHN A. LARSON and SHELLY L. LARSON, husband and wife

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLE
RECORDER
FEE 600 DEPUTY Li

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BUSHMAN FARM and LIVESTOCK CO., L.P., a Utah limited partnership

**Address: 680 West Main
Lehi, Utah 84043**

'00 DEC 1 PM 3 16
RECORDED AT THE REQUEST
LAND TITLE & ESCROW

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

**TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 14: S½, EXCEPTING THEREFROM the following described tract:

Beginning at the E¼ section corner of said Section 14, said point marked by
a No. 10 rebar which shall be the Point of Beginning;
Thence South 0°12' West (Basis of Bearing) along section line for 780.92 feet
to a ½ inch rebar;
Thence North 44°40'08" West for 1106.92 feet to a ½ inch rebar on the ¼
section line;
Thence South 89°30'24" East along said ¼ section line for 780.92 feet to the
Point of Beginning.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to State of Idaho, Department of Water Resources No. 43-02354A for 10 acres and
.15 cfs.**

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2000.

**Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller, and
Allen Sexton, as Consumer, dated January 20, 1964 and recorded December 23, 1965, as Instrument No.
27478 on Film No. 38, records of Cassia County, Idaho.**

**Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller and
Allen Sexton and Thelma Sexton, as Consumer, dated October 10, 1979 and recorded March 17, 1980 as
Instrument No. 124422 on Film No. 133, records of Cassia County, Idaho.**

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

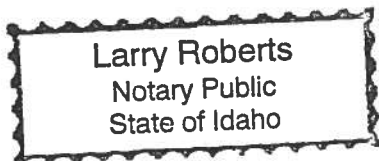
Dated: November 30, 2000

John A. Larson
John A. Larson

Shelly L. Larson
Shelly L. Larson

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 30th day of November, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **JOHN A. LARSON** and **SHELLY L. LARSON**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

T-12

R-26

S-14

2
73.0

T1524

CAP-87-96

CAP-87-96

CAP-87-96

NW 1/4 NW

NW 1/4 NW

5

12.0

127.5

127.96

127.15

127.14

127.13

127.12

127.11

127.10

127.09

127.08

127.07

127.06

127.05

127.04

127.03

127.02

127.01

127.00

126.99

126.98

126.97

126.96

126.95

126.94

126.93

126.92

126.91

126.90

126.89

126.88

126.87

126.86

126.85

126.84

126.83

126.82

126.81

126.80

126.79

126.78

126.77

126.76

126.75

126.74

126.73

126.72

126.71

126.70

126.69

126.68

126.67

126.66

126.65

126.64

126.63

126.62

126.61

126.60

126.59

126.58

126.57

126.56

126.55

126.54

126.53

126.52

126.51

126.50

126.49

126.48

126.47

126.46

126.45

126.44

126.43

126.42

126.41

126.40

126.39

126.38

126.37

126.36

126.35

126.34

126.33

126.32

126.31

126.30

126.29

126.28

126.27

126.26

126.25

126.24

126.23

126.22

126.21

126.20

126.19

126.18

126.17

126.16

126.15

126.14

126.13

126.12

126.11

126.10

126.09

126.08

126.07

126.06

126.05

126.04

126.03

126.02

126.01

126.00

125.99

125.98

125.97

125.96

125.95

125.94

125.93

125.92

125.91

125.90

125.89

125.88

125.87

125.86

125.85

125.84

125.83

125.82

125.81

125.80

125.79

125.78

125.77

125.76

125.75

125.74

125.73

125.72

125.71

125.70

125.69

125.68

125.67

125.66

125.65

125.64

125.63

125.62

125.61

125.60

125.59

125.58

125.57

125.56

125.55

125.54

125.53

125.52

125.51

125.50

125.49

125.48

125.47

125.46

125.45

125.44

125.43

125.42

125.41

125.40

125.39

125.38

125.37

125.36

125.35

125.34

125.33

125.32

125.31

125.30

125.29

125.28

125.27

125.26

125.25

125.24

125.23

125.22

125.21

125.20

125.19

125.18

125.17

125.16

125.15

125.14

125.13

125.12

125.11

125.10

125.09

125.08

125.07

125.06

125.05

125.04

125.03

125.02

125.01

125.00

124.99

124.98

124.97

124.96

124.95

124.94

124.93

124.92

124.91

124.90

124.89

124.88

124.87

124.86

124.85

124.84

124.83

124.82

124.81

124.80

124.79

124.78

124.77

124.76

124.75

124.74

124.73

124.72

124.71

124.70

124.69

124.68

124.67

124.66

124.65

124.64

124.63

124.62

124.61

124.60

124.59

124.58

124.57

124.56

124.55

124.54

124.53

124.52

124.51

124.50

124.49

124.48

124.47

124.46

124.45

124.44

124.43

124.42

124.41

124.40

124.39

124.38

124.37

124.36

124.35

124.34

124.33

124.32

124.31

124.30

124.29

124.28

124.27

124.26

124.25

124.24

124.23

124.22

124.21

124.20

124.19

124.18

124.17

124.16

124.15

124.14

124.13

124.12

124.11

124.10

124.09

124.08

124.07

124.06

124.05

124.04

124.03

124.02

124.01

124.00

123.99

123.98

123.97

123.96

123.95

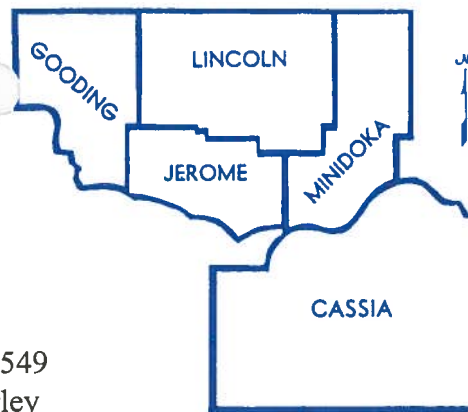
123.94

123.93

123.92

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #33549
OFFICE: Burley

December 11, 2000

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
DEC 12 2000
Department of Water Resources
Southern Region

Dear Clerk:

Enclosed with this letter please find two original executed Notice of Change In Water Right Ownerships on property located in Cassia County, Idaho.

Please make the necessary changes in your records to indicate the new owners for future water assessments and notices. Please send receipted copies to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in blue ink that reads "Nancy Garrett". The signature is written in a cursive style with a large, stylized "N" and "G".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0808 - FAX 436-1189

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: A43-02354
Date Received: 6/09/1988
Receipt No: S000371
Received By: A. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALLEN SEXTON 208-645-2420
Address: STAR ROUTE BOX 23
DECLO, ID 83323
AND/OR
Name: THELMA SEXTON
Address: STAR ROUTE BOX 23
DECLO, ID 83323
AND/OR
Name: THELMA SEXTON
Address: RT. 2
RUPERT, ID 83350

2. Date of Priority: SEP 17, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	26E	14	SW	NW	SE		CASSIA
			SE	SW	SE		CASSIA

5. Description of diverting works:
16" X 239' WELL, 14" X 220' WELL, BOTH HAVE 75 HP PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.720		

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

8. Total consumptive use is 543.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-02354

Page 1

Date: 06/09/88

MICROFILMED
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	26E	14	NE		SW		IRR	24.0
			SE		SW		IRR	24.0
			NE		SE		IRR	33.0
			NW		SE		IRR	33.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0

Section Acres 180.0

Total Acres 180.0

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:

14. Remarks:

AC. IRR. = 181.

TRANS. 2277.

P/D LISTED SW,NW,SE SETS ON LINE BETWEEN E 1/4 AND S 1/4.

15. Basis of Claim: LICENSE

Water Right Number: 21643

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): Allen Sefton Date: 6-9-88
_____ Date: _____

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 9th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id

My Commission Expires 10/16/1992

22 23

15 14 74

(4) 126.0

5 12.0

(6) 127.5

(7) 72.14 13

23 24

77

1233
71524

C R P
1987-96

C R P
1987-96

(2) 11.6

Well
P/P

C R P
1987-96

Well
P/P

Well

PROFILMED
MAR U 3 1993

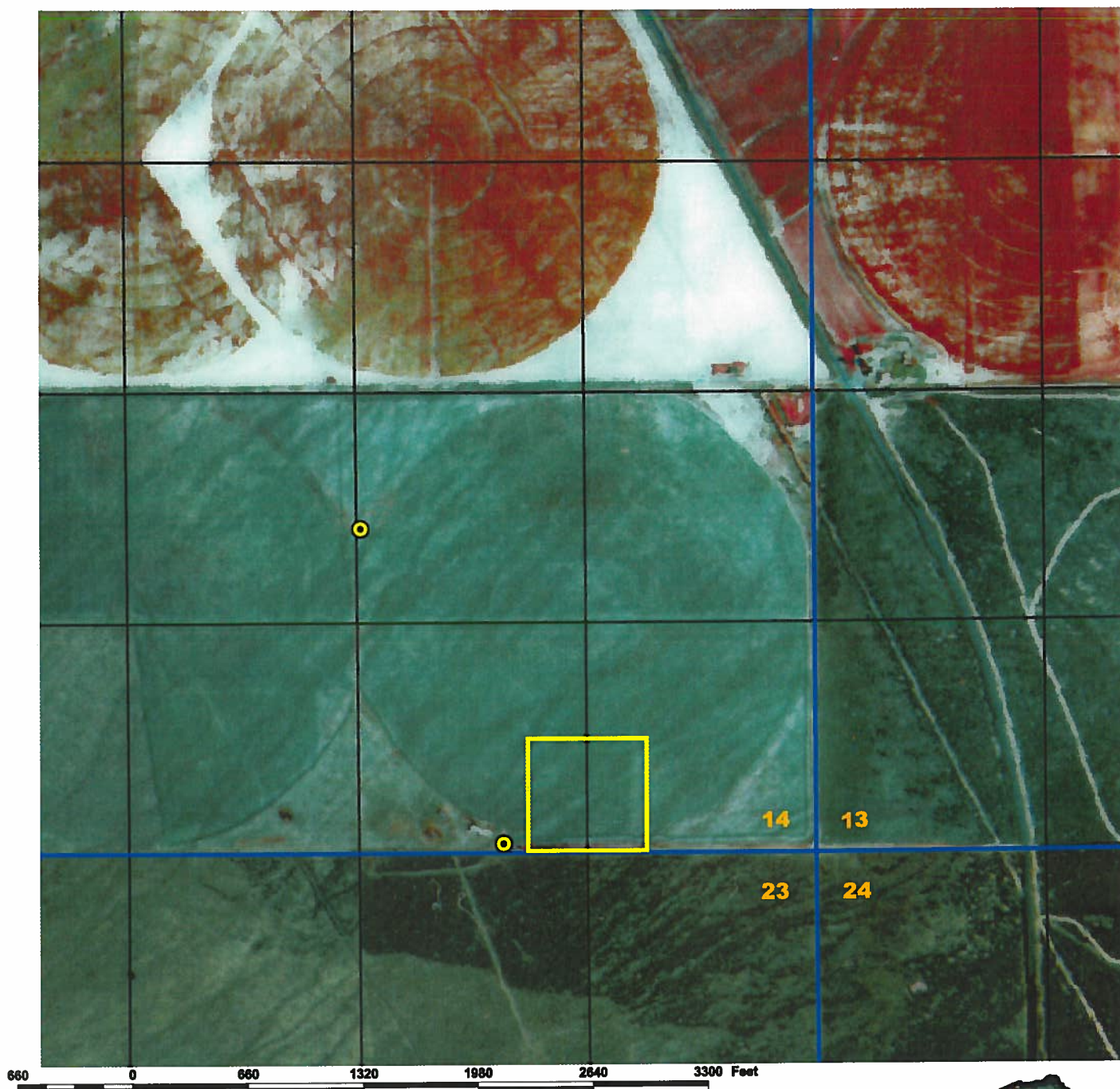
R 26

87

18

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
43-2354A**



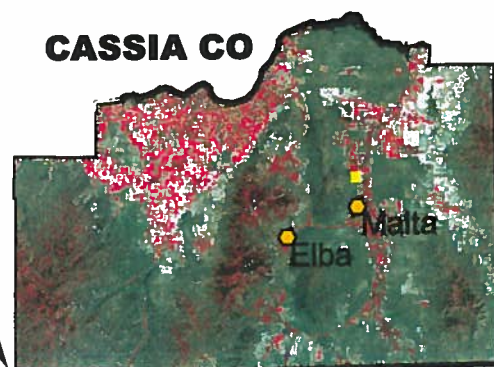
PLACE OF USE
TWP 12S, RNG 26E, SEC 14
Data entry on July 16, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



CASSIA CO



07/16/2001

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

RIGHT NUMBER: 43-2354A

NAME AND ADDRESS: BUSHMAN FARM AND LIVESTOCK CO LP
680 W MAIN
LEHI, UT 84043

SOURCE: GROUND WATER

VERIFIED BY KKC

QUANTITY: 0.15 CFS
40 AFY

PRIORITY DATE: 09/17/1954

POINT OF DIVERSION: T12S R26E S14 SWNWSE Within CASSIA County
T12S R26E S14 SESWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15

QUANTITY
0.15 CFS
40.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County
T12S R26E S14 SWSE

5

T12S R26E S14

SESE

5

10 ACRES TOTAL

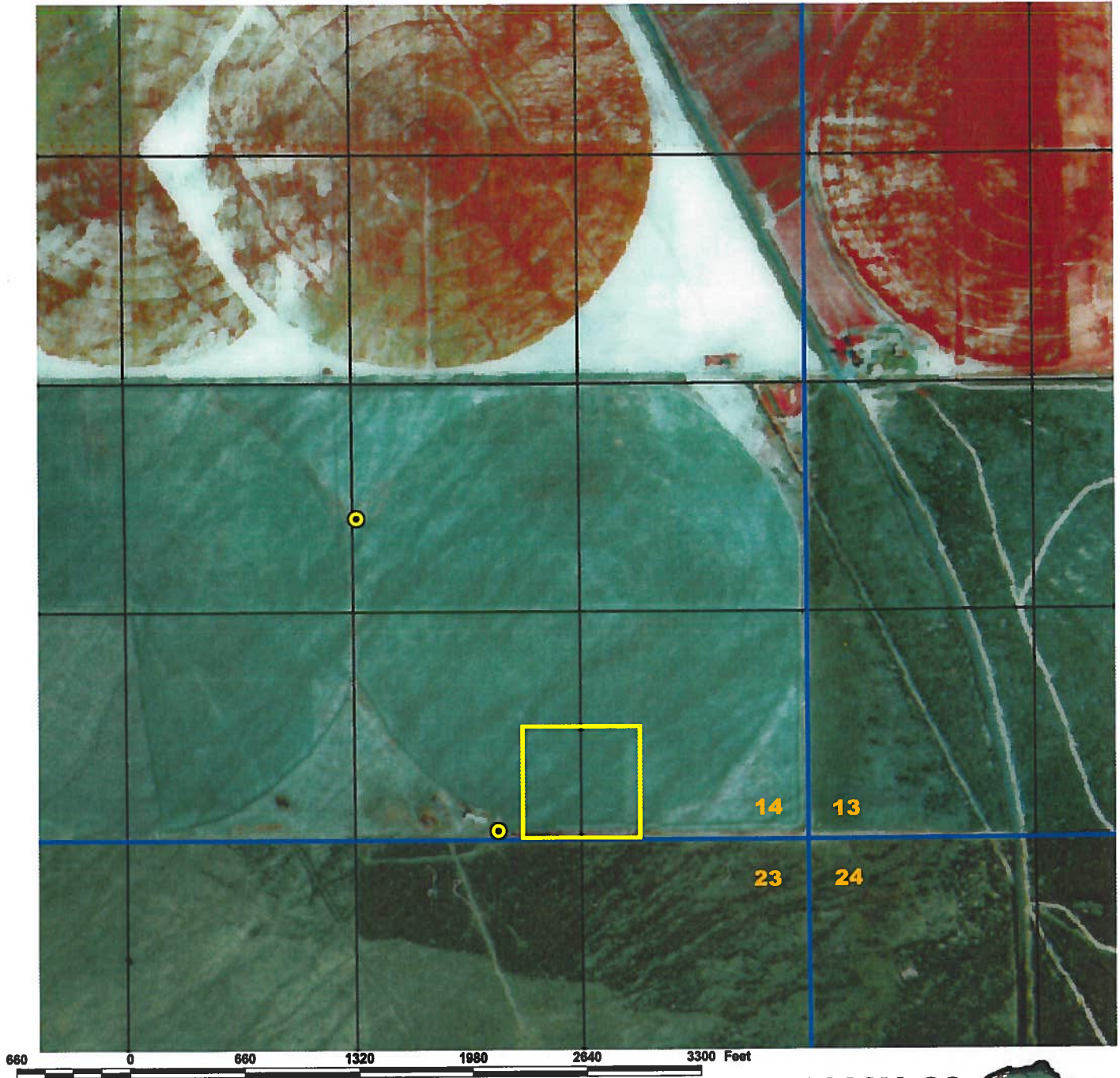
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
43-2354A**

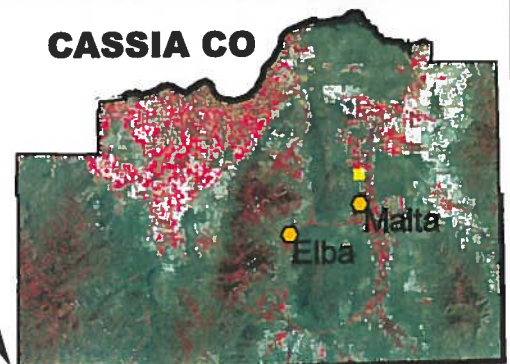


PLACE OF USE
TWP 12S, RNG 26E, SEC 14
Data entry on July 16, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

CASSIA CO



SD-0611-2 Basin: 43 Starting Water Right: 02354

S	Water	Name	W	Priority	STG/	Use	Y
L	Right No.	Last, First	N	Date	STS	Source	Desc
	43-02354			00/00/0000	/Z		WR
X	43-02354A	SEXTON, ALLEN	C	09/17/1954	L/	GROUNDWATER	IRR WR
		SEXTON, THELMA	C				
X	43-02354B	WEBB BROTHERS LAND &	C	09/17/1954	L/	GROUNDWATER	IRR WR
	A43-02354	SEXTON, ALLEN	C	09/17/1954	L/	GROUNDWATER	IRR AJ
		SEXTON, THELMA	C				
		SEXTON, THELMA	C				

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

43-02354
 2.72 cfs
 180 Ac.
 Trans. #5708 approved
 Aug. 4, 2000

(A) 0.15 cfs
 10 Ac.

(B) 2.57 cfs
 171 Ac.

?

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5708
WATER RIGHT NO. 43-02354B

RECEIVED
AUG 17 2000
Department of Water Resources
Southern Region

This is to certify that: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83323

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	* 2.57 CFS	684.0 AF *

SOURCE

GROUNDWATER

Priority: 09/17/1954

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 36, Township 10S, Range 27E
SESE , Sec. 1, Township 11S, Range 27E
SENE , Sec. 12, Township 11S, Range 27E
SESE , Sec. 12, Township 11S, Range 27E
NWNW , Sec. 6, Township 11S, Range 28E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	27E	35	SESE 20			20
		36	NWSW 21	SWSW 30		51
11S	27E	2	NENE 20	SWNE 5	SENE 15	
			NESE 37	NWSE 20	SESE 3	100
Total number of acres irrigated:						171

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

TRANSFER NO. 5708
WATER RIGHT NO. 43-02354B

CONDITIONS OF APPROVAL AND REMARKS

2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5708 shall not exceed 2.57 cfs, nor a total combined annual volume of 684.0 af.

Dated this 4th day of

August

, 2000



Chief, Water Allocation Bureau

APPLICATION OR TRANSFER OF WATER RIGHT

RECEIVED

MAR 30 20

Department of Water Resources
Southern Region

PART 1

Name of applicant Webb Brothers Land & Livestock LLC. Phone (208) 349-5740
 Street Office address 22 N. Yale Rd. Declo Idaho 83323

PURPOSE OF TRANSFER

☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT

Describe the reason for the proposed changes we have land that is favorable
and would like to put it into production

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
43-02354 B	09/17/1954	2.57 cfs	IRRIGATION	03/15 to 11/15
				to
				to
				to

Total amount of water being transferred 2.57 cfs cubic feet per second and/or _____ acre-feet per annum.

Source of water GROUNDWATER tributary to _____

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	36	10S	27E	CASSIA	EXISTING WELL
		SE	SE	01	11S	27E	CASSIA	" "
		SE	NE	12	11S	27E	CASSIA	" " " "
		SE	SE	12	11S	27E	CASSIA	" "
		NW	NW	6	11S	28E	CASSIA	" "

Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system FIVE EXISTING WELLS WITH COMMON
MAINLINE TO SPRINKLER SYSTEM

b. ✓ Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
171 ACRES WILL NO LONGER BE IRRIGATED

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-02354 issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02354 on file with the Idaho Department of Water Resources.
- d. Transfer No. 2277 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 09/17/1954

5. Water is used for the following purpose:

amount 2.72 cfs for IRRIGATION purposes from 03/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.72 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

8. Lands irrigated or place of use:

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	
12S	26E	14									24			24	33	33	33	33	~~180~~
											24.5			24.5					181*

Total acres 181
* NOTE TRANSFER #22
SHOWS 181 ACRE

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No YES If yes, describe: Described Property Has been in CRP

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.57 cfs for IRRIGATION purposes from 03/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

3. Lands irrigated or place of use:

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	
12S	26E	14			~~10~~						24			24	33	33	28	28	171
											24			24					

Total acres 171

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.15 cfs for IRRIGATION purposes from 03/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

3. Lands irrigated or place of use:

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	
12S	26E	14															5	5	10

Total acres 10

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-02354

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	2.72 CFS

SOURCE

GROUNDWATER

Priority: 09/17/1954

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 12S, Range 26E
 SWSE , Sec. 14, Township 12S, Range 26E
 CASSIA County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																									
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE										
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM								
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---								
12S	26E	14	:																																						
																																24		24	:	33	33	33	33	:	180.0
																																TOTAL ACRES				180.0					

CONDITIONS/REMARKS:

1. AC. IRR. = 181.
2. TRANS. 2277.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

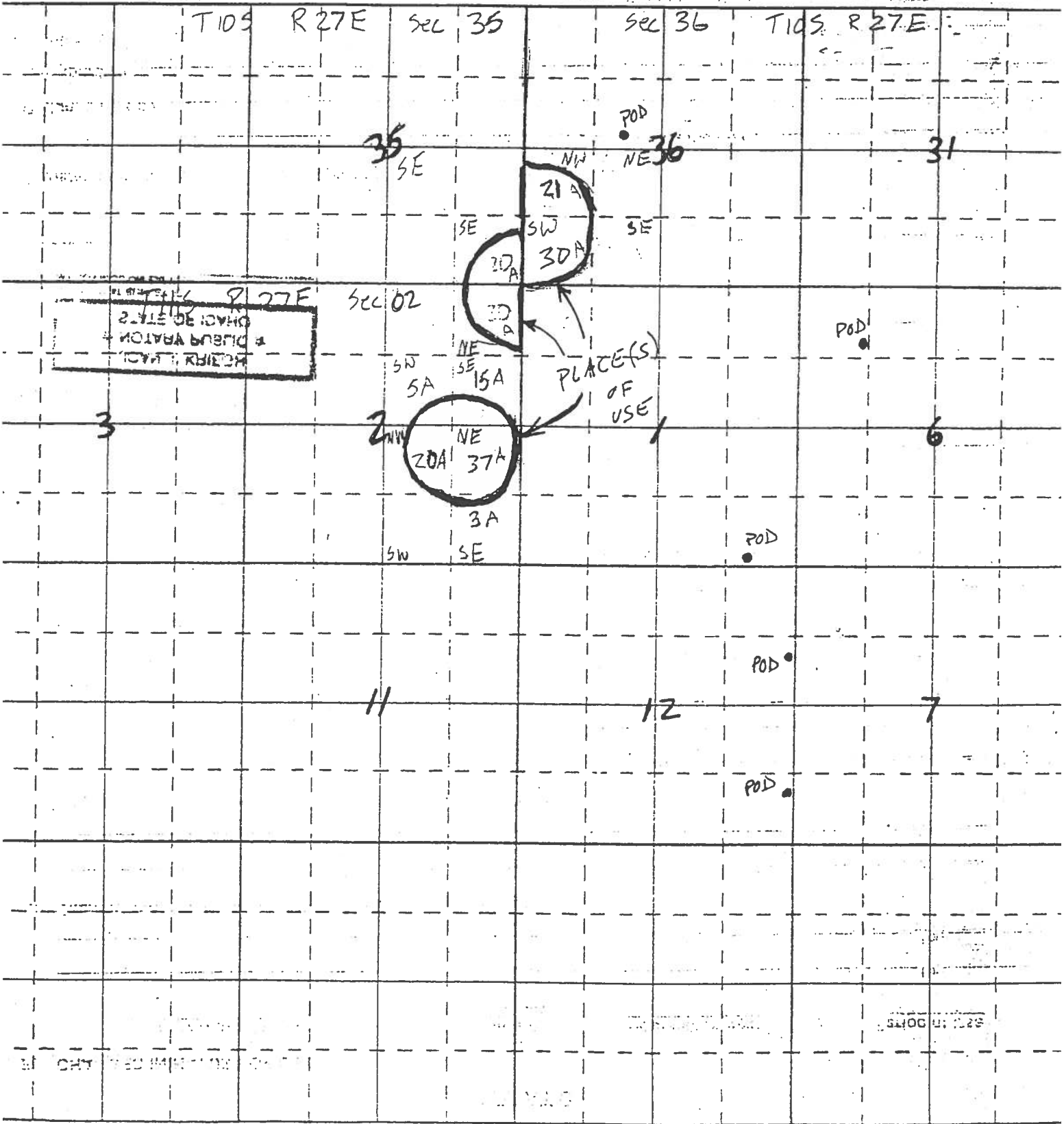
☐ Tax Notice☐ Warranty Deed☐ Other

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft)

_____ to _____
_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

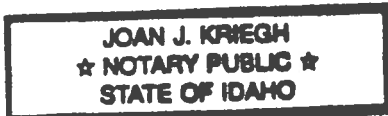
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Webb Brothers Dairy LLC
by Mark Webb

(Signature of Applicant)

Subscribed and sworn to before me this 28 day of March, 192000



Joan J. Kriegh
(Notary Public)

My commission expires 1-1-2001

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by J. Stanton Date 3-28-00

Protest filed by _____

Prelim. check by _____ Fee \$100, 5022927

Receipted by J Date 3-28-00

Published in Idaho Press

Copies of protest forwarded by _____

Pub. dates 7/24 + 5/1/00

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

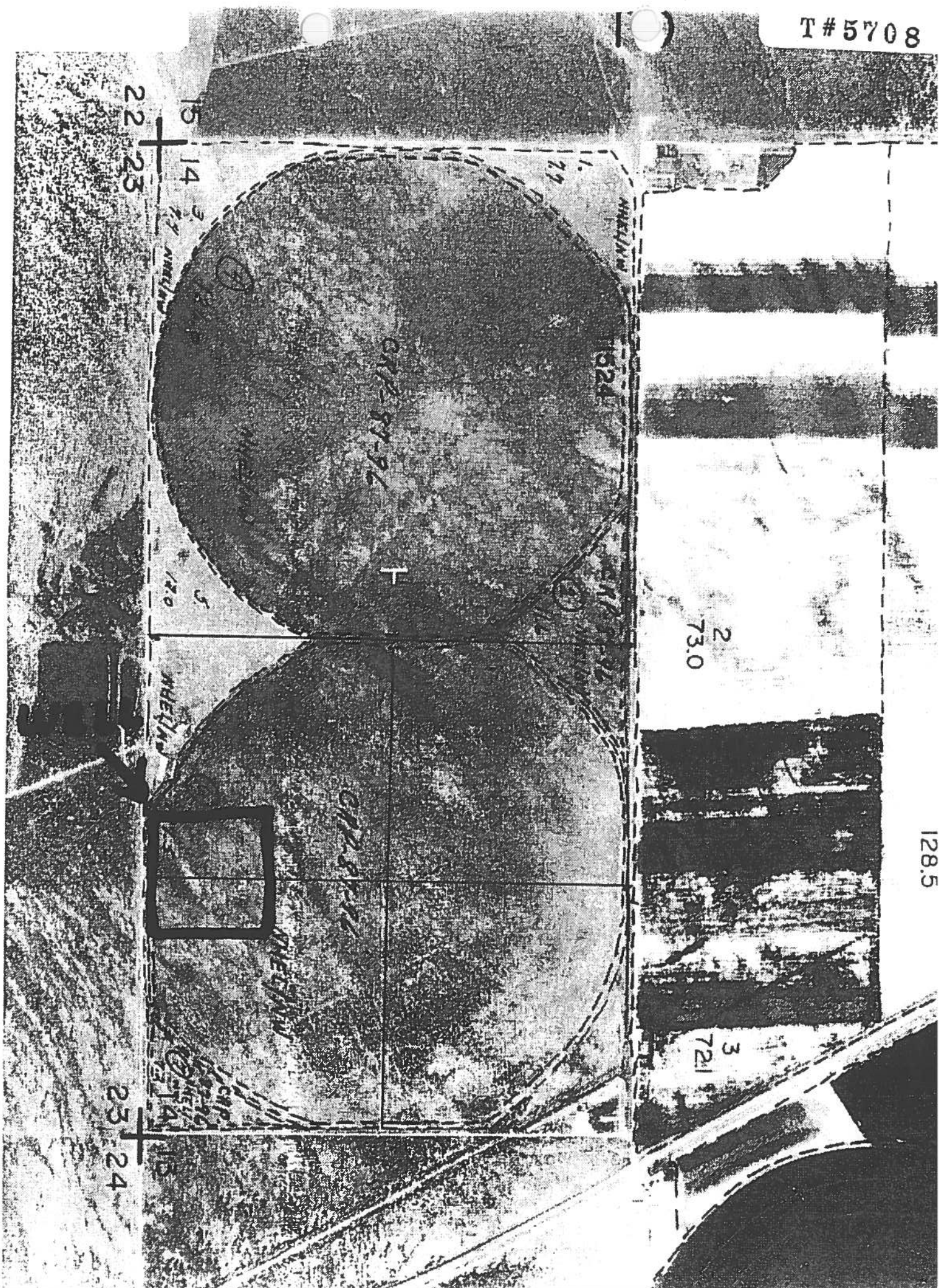
Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

T# 5708



1. Property is presently being purchased by John Larson from Thelma Sexton, on a contract.

2. Webb Brothers will purchase property from Larson for cash.
Thelma Sexton will be paid and will release all obligations and issue a warranty deed.

3. Webb Brothers will transfer water to other property presently owned and sell the land and 10 acres of water back to Larson on contract.

T # 5708