

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: **A43-02418F**
Date Received: 1/17/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WEBB BROTHERS LAND & LIVESTOCK LLC 208-349-5520
Address: STAR ROUTE BOX 55
DECLO ID 83323

2. Date of Priority: JAN 31, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
10S	27E	36	NE		SE		NW		CASSIA
			SE		NW		SE		CASSIA
11S	27E	1	SE		SE		SE		CASSIA
		12	SE		SE		NE		CASSIA
			SE		SE		SE		CASSIA
	28E	6	SE		NW		NW		CASSIA

5. Description of diverting works:
WELLS AND PUMPS TO PIVOTS AND HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.577		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2500 FEEDLOT, 500 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
10S	27E	36	SW		NE		IRR	31.0			
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	39.0			
			NE		SW		IRR	26.0			
			SE		SW		IRR	4.0			
			NE		SE		IRR	16.0			
			NW		SE		IRR	39.0			
			SW		SE		IRR	35.0			
SE		SE		IRR	39.0						
							Section Acres	322.0			
	28E	31	SW		SW		IRR	25.0			
							Section Acres	25.0			
11S	27E	1	NE		NE		IRR	17.0			
			NW		NE		IRR	15.0			
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	30.0			
			NE		SW		IRR	31.0			
			NW		SW		IRR	31.0			
			SW		SW		IRR	31.0			
			SE		SW		IRR	31.0			
			NE		SE		IRR	31.0			
			NW		SE		IRR	31.0			
			SW		SE		IRR	31.0			
			SE		SE		IRR	31.0			
										Section Acres	403.0
					12	NE		NE		IRR	31.0
						NW		NE		IRR	31.0
						SW		NE		IRR	31.0
			SE		NE		IRR	31.0			
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	31.0			
			NE		SW		IRR	31.0			
			NW		SW		IRR	31.0			
			SW		SW		IRR	31.0			
			SE		SW		IRR	31.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	27E	12	NE		SE		IRR	31.0
			NW		SE		IRR	31.0
			SW		SE		IRR	31.0
			SE		SE		IRR	31.0
							Section Acres	496.0
	28E	6	NE		NW		IRR	12.0
			NW		NW		IRR	32.0
			SE		NW		IRR	27.0
							Section Acres	71.0
							Total Acres	1317.0

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:

OTHER WR'S: A43-02417C, -04060C, -04061C, -04062C, -04063C, -04064C. THIS IS A PORTION OF THE WR# 43-02418B FOR 4.52 CFS. BASED ON AN ACREAGE PROPORTION OF IRRIGATED LANDS THIS CLAIM SHOWS 2.82 CFS, WHILE THE REMAINING PORTION IS 1.70 CFS. FULL AMOUNT FOR STOCK IS CLAIMED SINCE FEEDLOT AND RANGE LAND ARE INCLUDED IN THIS P/U. SEE ALSO TRANS. #3315.

right split from part C into parts E and F. The ratio of acres used is 124 acres for part E and 1317 for part F. The base acres from part C is 1441 acres. Part E is for all remaining acres in sec 18, T-11S, R-28E.

10/15/96 TF; OWNERSHIP CHANGED NEIBAUR TO WEBB BROS WARRANTY DEED INCLUDED.

15. Basis of Claim: LICENSE



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

43-2418F

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: fw

<u>Basin/Run Sequence Split Basis</u>	<u>Priority Date</u>	<u>Diversion Source List</u>	<u>Water Use Li Owner List</u>	<u>Source Table</u>
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



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

October 28, 1996

WEBB BROTHERS LAND & LIVESTOCK LLC
STAR ROUTE BOX 55
DECLO ID 83323

RE: SRBA Claim(s) A43-02417F, A43-02418F, A43-04060F,
A43-04061F, A43-04062F, A43-04063F,
A43-04064F, A43-10353

Dear Mr. Webb:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership on the above listed claims **except A43-10353** to you. Upon comparison of the lands listed in the claims against the lands listed on the warranty deed, it was discovered the legal description of the place of use in claim A43-10353 was not included in the warranty deed as being conveyed to you.

If you could forward to me the proof this particular property has been sold to Webb Brothers, I will update the ownership of claim A43-10353. I am enclosing a copy of the claim for your reference.

Please find the enclosed copies of all the other computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 21 1996

DATE OF CLOSING: June 19, 1996

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit "A" for legal description

[] 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:

A43-02417F, A43-02418F, A43-04063F, A43-04064F, A43-04062F

A43-04063F, A43-04064F, A43-0353 (see third page of warranty deed)

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Brad Neibaur and Dianne Neibaur

P. O. Box 53

Rupert, Idaho 83350

[] New Owner/Claimant
(Purchaser):

Webb Brothers Land & Livestock, L.L.C.

[] New Mailing Address:

Star Route Box 55

Declo, Idaho 83323

[] New Telephone Number:

(208) 349-5520

[] 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:

recorded Warranty Deed

(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)

WEBB BROTHERS LAND & LIVESTOCK, L.L.C.

By: Mark A. Webb
Mark A. Webb, Manager

Date 6-19-96

Date _____

[] Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(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:

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

WARRANTY DEED

(2)
#27266

243485

For Value Received

BRAD NEIBAUR and DIANNE NEIBAUR, husband and wife

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

WEBB BROTHERS LAND & LIVESTOCK, L.L.C.

Address: Star Route Box 55
Declo, Idaho 83323

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

PARCEL NO. 1:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 36: All

PARCEL NO. 2:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 1: W $\frac{1}{2}$, SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$

Section 2: E $\frac{1}{2}$

Section 12: All

PARCEL NO. 3:

**TOWNSHIP 10 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: All

EXCEPT that portion deeded to the Burley Highway District by Quitclaim Deed dated November 15, 1918 and recorded November 18, 1918 as Instrument No. 37060 in Book 26 of Deeds, page 109, records of Cassia County Idaho, covering 25 feet along the North and East boundary lines of the NE $\frac{1}{4}$ and 25 feet along the North and West boundary lines of the NW $\frac{1}{4}$ of said Section 31

PARCEL NO. 4:

**TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

PARCEL NO. 5:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 35: E $\frac{1}{2}$ E $\frac{1}{2}$ of said Section 35, EXCEPT the following described parcel:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35, which point shall be known as the True Point of Beginning;
Thence South 0°13' West along section line for 1425.56 feet to an iron pin;
Thence North 88°48' West for 1325.13 feet to an iron pin on the 1/16th

section line;
Thence North 0°13'02" East along said 1/16th section line for 1313.50 feet to an iron pin in an existing fence line;
Thence North 5°08'40" East along an existing fence line for 1350.75 feet to an iron pin;
Thence North 32°12'26" East along an existing fence line for 501.69 feet to an iron pin;
Thence South 12°46'25" East for 431.93 feet to an iron pin;
Thence South 53°54'54" East for 1043.98 feet to an iron pin on section line;
Thence South 0°13' West along said section line for 649.71 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at the Northwest corner of the NE¼NE¼ of said Section 35, which point shall be the Point of Beginning;
Thence South 89°56' East along section line for 929.90 feet to an iron pin, said point lying North 89°56' West for 395.00 feet from the section corner common to Sections 25, 26, 35 and 36;
Thence South 31°48'24" West for 1113.67 feet to an iron pin;
Thence South 70°58'37" East for 37.70 feet to an iron pin in an existing fence line;
Thence South 32°12'26" West along an existing fence line for 501.69 feet to an iron pin;
Thence South 5°08'40" West along an existing fence line for 1350.75 feet to an iron pin on the 1/16th section line;
Thence North 0°13'02" East along said 1/16th section line for 2729.57 feet to the Point of Beginning.

PARCEL NO. 6:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: Lot 1 and SE¼NE¼

TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Lots 5 and 6

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Sections 25 and 26: Part of the SE¼ of Section 26 and the SW¼ of Section 25, described as follows:

Beginning at the Southeast corner of said Section 26, which shall be known as the True Point of Beginning;
Thence South 89°58' West along section line for 395.0 feet to a point on the centerline of an irrigation ditch easement;
Thence North 27°48' East along said centerline for 1028.4 feet to a point on the South boundary of a County Road right-of-way (known as Heglar Road);
Thence South 77°40' East along said South boundary for 465.9 feet to a point;
Thence South 52°57' East along said South boundary for 1342.5 feet to a point on the South section line of said Section 25;
Thence South 89°58' West along said section line for 1611.25 feet to the True Point of Beginning.

EXCEPTING THEREFROM the following described property:

Part of Section 36 of Township 10 South, Range 27 East and part of Section 31 of Township 10 South, Range 28 East and Part of the N½ of Section 6 of Township 11 South, Range 28 East of the Boise Meridian, Cassia County, State of Idaho, more particularly described as follows:

Beginning at the Northeast corner of Section 31, Township 10 South, Range 28 East of the Boise Meridian, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 0°12'09" East along the section line for 16.83 feet to a U.S. General Land Office pipe with brass cap, said corner being a Witness corner to the section corner;
Thence South 0°12'09" East along the section line for 2617.93 feet to a U.S. General Land Office pipe at the East quarter section corner of Section 31;
Thence South 0°06'27" East along section line for 2643.52 feet to a U.S. General Land Office pipe at the Southeast corner of Section 31;
Thence South 0°15'50" West along section line for 2681.07 feet to a 5/8 inch rebar at the East quarter section corner of Section 6;
Thence North 89°11'00" West along the quarter section line for 912.02 feet to a 1/2 inch rebar in the approximate centerline of the Heglar Canyon Road;
Thence North 37°43'26" West along said road centerline for 1998.25 feet to a 1/2 inch rebar;
Thence North 56°46'58" West along said road centerline for 1791.49 feet to a point;
Thence North 34°01'12" East for 27.86 feet to a 1/2 inch rebar;
Thence North 34°01'12" East for 232.98 feet to a 1/2 inch rebar;
Thence North 58°07'09" West for 496.96 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 223.81 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 25.47 feet to a point in the approximate centerline of the Heglar Canyon Road;
Thence North 56°46'58" West along said road centerline for 16.00 feet to a 1/2 inch rebar;
Thence North 49°51'17" West along said road centerline for 128.41 feet to a 1/2 inch rebar;
Thence North 43°55'17" West along said road centerline for 6355.24 feet to a 1/2 inch rebar;
Thence North 47°36'00" West along said road centerline for 316.76 feet to a 1/2 inch rebar;
Thence North 51°58'34" West along said road centerline for 461.75 feet to a 1/2 inch rebar on section line;
Thence North 89°58'00" East along section line for 994.66 feet to a U.S. General Land Office pipe at the North quarter section corner of Section 36;
Thence North 89°58'00" East along section line for 2645.14 feet to a 5/8 inch rebar at the Northeast corner of Section 36;
Thence South 89°27'26" East along section line for 5517.69 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 Water Adjudication Nos. A43-02417F, A43-02418F, A43-04060F, A43-04061F, A43-04062F, A43-04063F, A43-04064F and A43-10353.

SUBJECT TO:

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

Taxes for 1996 and subsequent years, a lien, but not yet due or payable.

Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and Yale Land Co., as Consumer, dated March 7, 1960 and recorded September 15, 1960 as Instrument No. 208033 in Book 10 of Bills of Sales and Agreements, records of Cassia County, Idaho.

Easement and Right-of-Way Contract from Taylor Land Company, to Intermountain Gas Company, dated March 29, 1962 and recorded April 27, 1962 as Instrument No. 6618 on Film No. 13, records of Cassia County, Idaho.

Easement and Right-of-Way Contract from Taylor Land Company, to Intermountain Gas Company, dated March 29, 1962 and recorded April 27, 1962 as Instrument No. 6619 on Film No. 13, records of Cassia County, Idaho.

Easement and Right-of-Way Contract from Taylor Land Company, to Intermountain Gas Company, dated March 29, 1962 and recorded April 27, 1962 as Instrument No. 6620 on Film No. 13, records of Cassia County, Idaho.

Electric Line - Right-of-Way Easement from Heglar Ranch, Inc., to Raft River Rural Electric Cooperative, Inc., a cooperative corporation, dated August 4, 1982 and recorded August 12, 1982 as Instrument No. 145508, records of Cassia County, Idaho.

Reservation contained in Warranty Deed between Simplot Leasing Corporation, an Idaho corporation, and Idaho Livestock Production Credit Association, a federally chartered corporation, dated August 15, 1984 and recorded September 7, 1984 as Instrument No. 163496 on Film No. 167, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169168 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169169 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169170 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169171 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169173 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, as Seller, and Idaho Livestock P.C.A., as Consumer, dated April 11, 1985 and recorded May 6, 1985 as Instrument No. 169174 on Film No. 172, records of Cassia County, Idaho.

Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta to Brad Neibaur, dated April 11, 1990 and recorded May 24, 1990 as Instrument No. 207704 on Film No. 216, records of Cassia County, Idaho.

Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta to Brad Neibaur, dated April 11, 1990 and recorded May 24, 1990 as Instrument No. 207705 on Film No. 216, records of Cassia County, Idaho.

Agreement for Electric Service, between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta to Brad Neibaur, dated April 11, 1990 and recorded May 24, 1990 as Instrument No. 207706 on Film No. 216, records of Cassia County, Idaho.

Effects, if any of Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, to David O. Hinckley, dated March 9, 1994 and recorded March 15, 1994 as Instrument No. 229613 on Film No. 253, records of Cassia County, Idaho.

Effects, if any of Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, to David O. Hinckley, dated March 9, 1994 and recorded March 15, 1994 as Instrument No. 229615 on Film No. 253, 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: June 19, 1996

Brad Neibaur

Brad Neibaur

Dianne Neibaur

Dianne Neibaur

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 19th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared BRAD NEIBAUR and DIANNE NEIBAUR, 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, Idaho
My Commission expires: 6-30-97

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

LAND TITLE & ESCROW

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE \$15.00 DEPUTY *[Signature]*

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 278
1996 JUN 19 P 3:53
243485

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: A43-02418F
Date Received: 1/17/1989
Receipt No: Z777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRAD W. NEIBAUR 208-436-0373
Address: RT. 5 BOX 16
RUPERT ID 83350
OR
Name: DIANNE NEIBAUR 208-436-0373
Address: RT. 5 BOX 16
RUPERT ID 83350

2. Date of Priority: JAN 31, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	27E	36	NE	SE	NW		CASSIA
			SE	NW	SE		CASSIA
11S	27E	1	SE	SE	SE		CASSIA
		12	SE	SE	NE		CASSIA
			SE	SE	SE		CASSIA
	28E	6	SE	NW	NW		CASSIA

5. Description of diverting works:
WELLS AND PUMPS TO PIVOTS AND HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.577		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2500 FEEDLOT, 500 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
10S	27E	36	SW		NE		IRR	31.0			
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	39.0			
			NE		SW		IRR	26.0			
			SE		SW		IRR	4.0			
			NE		SE		IRR	16.0			
			NW		SE		IRR	39.0			
			SW		SE		IRR	35.0			
			SE		SE		IRR	39.0			
			Section Acres							322.0	
				28E	31	SW		SW		IRR	25.0
Section Acres							25.0				
11S	27E	1	NE		NE		IRR	17.0			
			NW		NE		IRR	15.0			
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	30.0			
			NE		SW		IRR	31.0			
			NW		SW		IRR	31.0			
			SW		SW		IRR	31.0			
			SE		SW		IRR	31.0			
			NE		SE		IRR	31.0			
			NW		SE		IRR	31.0			
			SW		SE		IRR	31.0			
			SE		SE		IRR	31.0			
			Section Acres							403.0	
					12	NE		NE		IRR	31.0
						NW		NE		IRR	31.0
						SW		NE		IRR	31.0
						SE		NE		IRR	31.0
			NE		NW		IRR	31.0			
			NW		NW		IRR	31.0			
			SW		NW		IRR	31.0			
			SE		NW		IRR	31.0			
			NE		SW		IRR	31.0			
			NW		SW		IRR	31.0			
			SW		SW		IRR	31.0			
			SE		SW		IRR	31.0			
			NE		SE		IRR	31.0			

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	27E	12	NW	SE		IRR	31.0
			SW	SE		IRR	31.0
			SE	SE		IRR	31.0
			Section Acres				496.0
	28E	6	NE	NW		IRR	12.0
			NW	NW		IRR	32.0
			SE	NW		IRR	27.0
			Section Acres				71.0
			Total Acres				1317.0

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:

OTHER WR'S: A43-02417C, -04060C, -04061C, -04062C, -04063C, -04064C. THIS IS A PORTION OF THE WR# 43-02418B FOR 4.52 CFS. BASED ON AN ACREAGE PROPORTION OF IRRIGATED LANDS THIS CLAIM SHOWS 2.82 CFS, WHILE THE REMAINING PORTION IS 1.70 CFS. FULL AMOUNT FOR STOCK IS CLAIMED SINCE FEEDLOT AND RANGE LAND ARE INCLUDED IN THIS P/U. SEE ALSO TRANS. #3315.

right split from part C into parts E and F. The ratio of acres used is 124 acres for part E and 1317 for part F. The base acres from part C is 1441 acres. Part E is for all remaining acres in sec 18, T-11S, R-28E.

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.

Number of attachments: _____

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MAR 03 1993

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

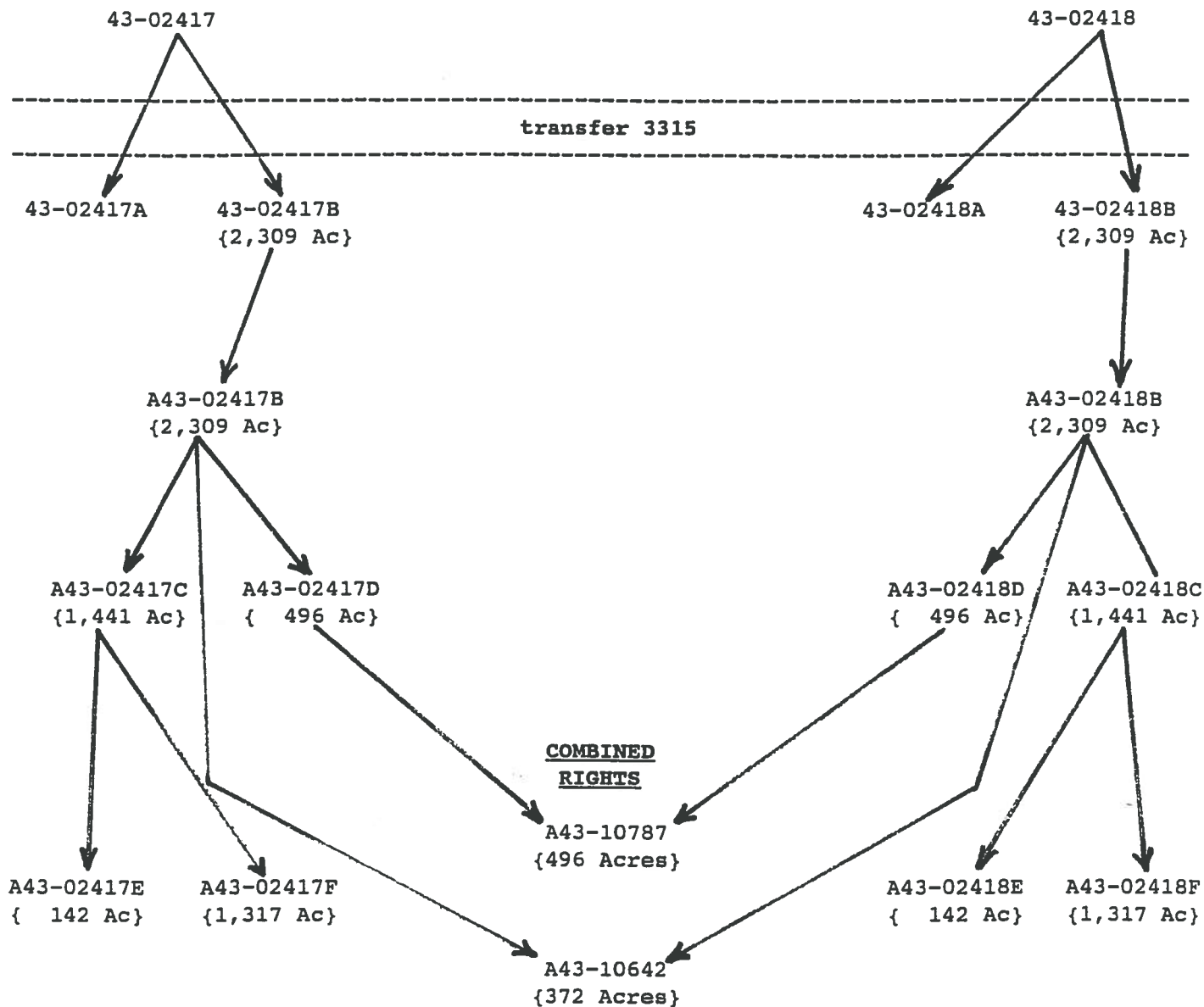
Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 03 1993

WATER LICENSES SPLIT FLOW CHART
for
LICENSES 43-02417 AND 43-02418



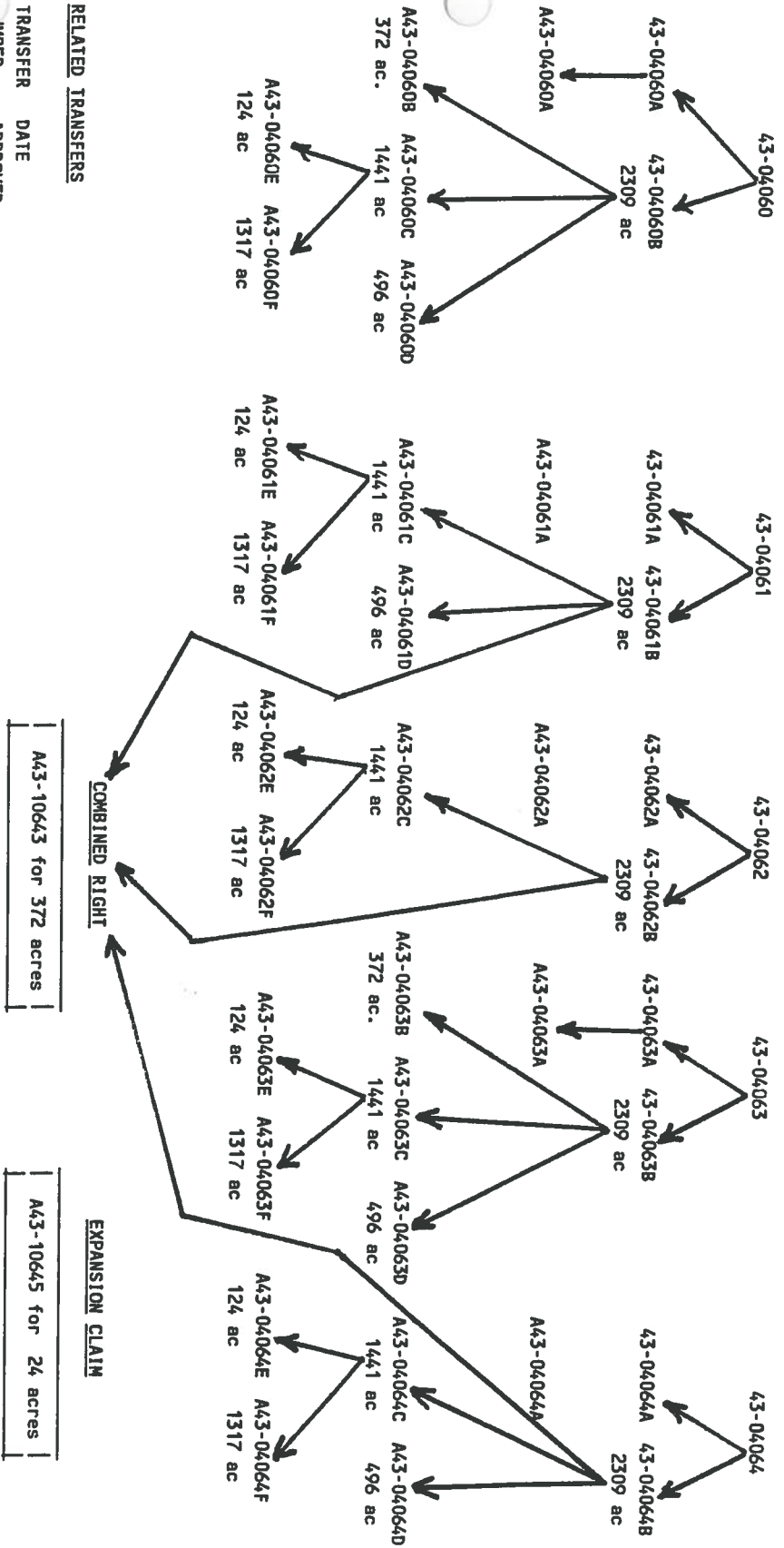
RELATED TRANSFERS

<u>TRANSFER NUMBER</u>	<u>DATE APPROVED</u>
2030	1976
2267	1978
3315	1987

*Prepared by KKC
9-9-91*

MICROFILMED
MAR 03 1993

STATUTORY CLAIM SPLIT FLOW CHART



RELATED TRANSFERS

TRANSFER NUMBER	DATE	APPROVED
2030	1976	
2267	1978	
3315	1987	

MAR 03 1993
MICROFILMED

MAR 03 1993
MICROFILMED

Prepared by KPC
9-9-91

SPLIT RIGHT CALCULATIONS

All claims are based upon the identical 1441 irrigated acres included in each of the "C" extension claims.

All splits are for the same 124 acres from each claim. Only the diversion rates vary from one claim to another, therefore one base proportional calculation will apply to all claims.

All original claims have the same "C" extension and as another owner of a different system (originally split from the water right "B" extension rights) has claimed his portion under some of the "D" extension.

This split will separate all "C" extension claims into two parts, one with an "E" extension to be owned by Cleft of Rock Farms and the other with a "F" extension to be owned by Neibaur.

(note: there will be some of the claim numbers with no "D" extension claims filed)

PROPORTIONATE SHARE CALCULATIONS

Acres to be split = 124
Base acres = 1,441

for "E" extension claims $\frac{124}{1,441} = 0.08605$

for "F" extension claims $\frac{1,317}{1,441} = 0.9139$

A43-02417E -- OWNER -- CLEFT OF ROCK FARMS

	RECOMMENDED DIVERSION RATE
"C" extension	
diversion rate = 2.82 cfs * 0.08605	= 0.243 CFS

A43-02417F -- OWNER -- NEIBAUR

	RECOMMENDED DIVERSION RATE
"C" extension	
diversion rate = 2.82 cfs * 0.9139	= 2.577 CFS

A43-02418E -- OWNER -- CLEFT OF ROCK FARMS

	RECOMMENDED DIVERSION RATE
"C" extension	
diversion rate = 2.82 cfs * 0.08605	= 0.243 CFS

A43-02418F -- OWNER -- NEIBAUR

	RECOMMENDED DIVERSION RATE
"C" extension	
diversion rate = 2.82 cfs * 0.9139	= 2.577 CFS

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MAR 03 1993

A43-04060E -- OWNER -- CLEFT OF ROCK FARMS

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 0.967 cfs * 0.08605 = 0.0832 CFS

A43-04060F -- OWNER --NEIBAUR

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 0.967 cfs * 0.9139 = 0.8837 CFS

A43-04061E -- OWNER -- CLEFT OF ROCK FARMS

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 1.797 cfs * 0.08605 = 0.1546 CFS

A43-04061F -- OWNER --NEIBAUR

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 1.797 cfs * 0.9139 = 1.6422 CFS

A43-04062E -- OWNER -- CLEFT OF ROCK FARMS

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 1.65 cfs * 0.08605 = 0.1420 CFS

A43-04062F -- OWNER --NEIBAUR

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 1.65 cfs * 0.9139 = 1.508 CFS

A43-04063E -- OWNER -- CLEFT OF ROCK FARMS

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 2.465 cfs * 0.08605 = 0.2121 CFS

A43-04063F -- OWNER --NEIBAUR

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 2.465 cfs * 0.9139 = 2.2528 CFS

A43-04064E -- OWNER -- CLEFT OF ROCK FARMS

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 4.05 cfs * 0.08605 = 0.3485 CFS

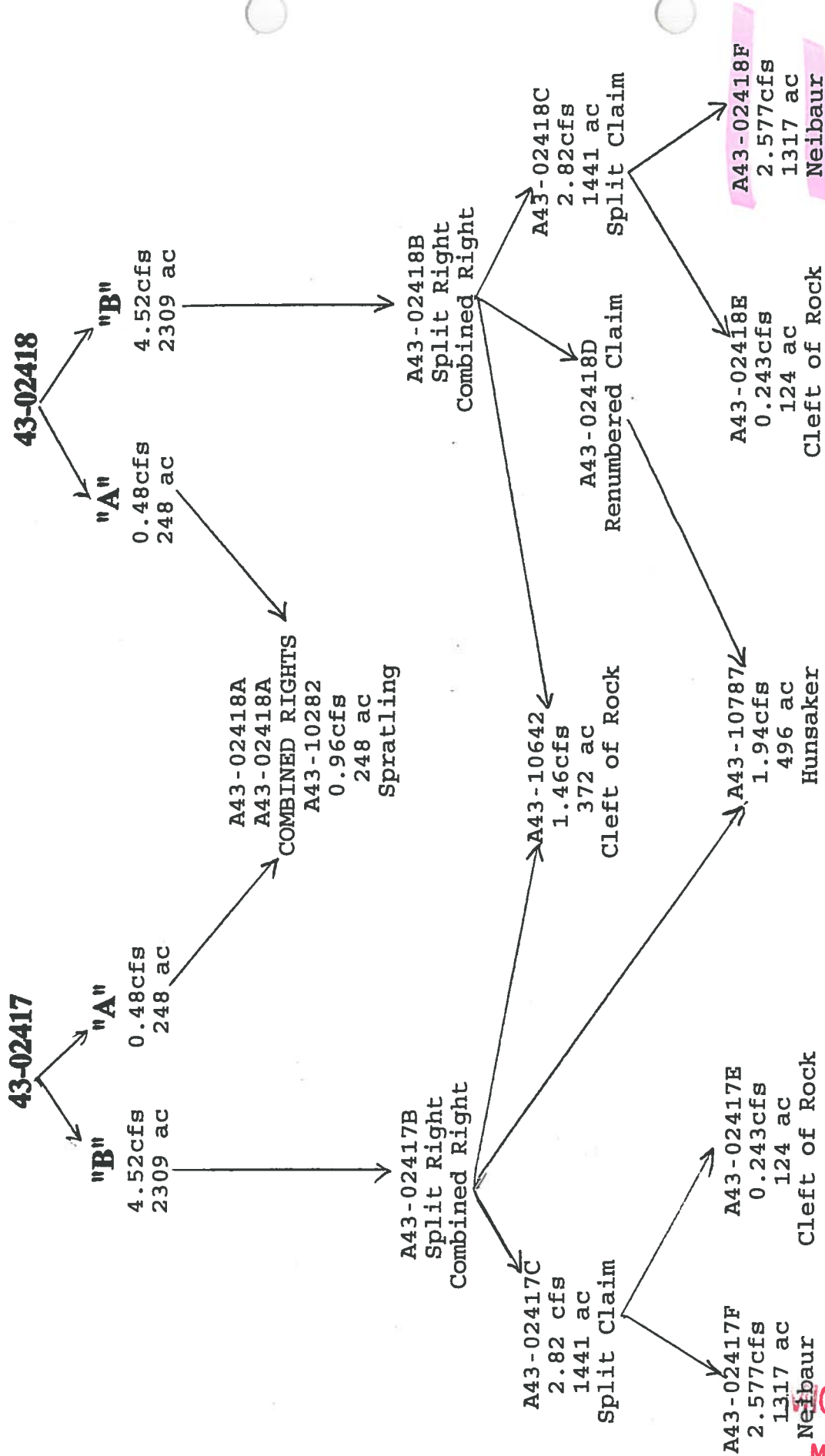
A43-04064F -- OWNER --NEIBAUR

RECOMMENDED
DIVERSION RATE

"C" extension
diversion rate = 4.05 cfs * 0.9139 = 3.701 CFS

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MAR 03 1993

43-02417 AND 43-02418 CLAIM SPLIT FLOW CHART



REPROFILMED
MAR 03 1993

VERIFIED BY J 8/6/01
08/06/2001

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

RIGHT NUMBER: 43-2418F

NAME AND ADDRESS: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 2.58 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 15.14 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 5268 AF. COMBINED RIGHT
NOS.: 43-2417F, 43-2418F, 43-4060F, 43-4061F, 43-4062F, 43-
4063F, 43-4064F, & 43-13064.

PRIORITY DATE: 01/31/1955

POINT OF DIVERSION:	T10S R27E S36	SWSNW	Within CASSIA County
	T11S R27E S1	SWSESE	Within CASSIA County
	T11S R27E S12	NESENE	Within CASSIA County
	T11S R27E S12	NESESE	Within CASSIA County
	T11S R28E S6	LOT 4 SENWNW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.58 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN
AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T10S R27E S36	SWNE	11	T10S R27E S36 NENW 20
T10S R27E S36	NWNW	28	T10S R27E S36 SWNW 29
T10S R27E S36	SENE	32	T10S R27E S36 NESW 30
T10S R27E S36	SWSW	5.7	T10S R27E S36 SESW 15
T10S R27E S36	NESE	5	T10S R27E S36 NWSE 40
T10S R27E S36	SWSE	29	T10S R27E S36 SESE 40
T10S R28E S31	LOT 4 SWSW	17	T11S R27E S1 LOT 1 NENE 36
T11S R27E S1	LOT 2 NWNE	6.1	T11S R27E S1 LOT 3 NENW 35
T11S R27E S1	LOT 4 NWNW	31	T11S R27E S1 SWNW 8.2
T11S R27E S1	SENE	10	T11S R27E S1 NESW 33
T11S R27E S1	NWSW	32	T11S R27E S1 SWSW 32
T11S R27E S1	SESW	33	T11S R27E S1 NESE 32
T11S R27E S1	NWSE	33	T11S R27E S1 SWSE 31
T11S R27E S12	NENE	33	T11S R27E S12 NWNE 33
T11S R27E S12	SWNE	33	T11S R27E S12 SENE 31
T11S R27E S12	NENW	33	T11S R27E S12 NWNW 32
T11S R27E S1	SESE	32	T11S R27E S12 SWNW 33
T11S R27E S12	SENE	32	T11S R27E S12 NESW 32
T11S R27E S12	NWSW	29	T11S R27E S12 SWSW 29

T11S R27E S12		SESW	31	T11S R27E S12		NESE	32
T11S R27E S12		NWSE	33	T11S R27E S12		SWSE	30
T11S R27E S12		SESE	29	T11S R28E S6	LOT 2	NWNE	5.3
T11S R28E S6		SWNE	31	T11S R28E S6	LOT 3	NENW	18.6
T11S R28E S6	LOT 4	NWNW	45	T11S R28E S6	LOT 5	SWNW	41
T11S R28E S6		SENW	27.5	T11S R28E S6		NESW	26
T11S R28E S6	LOT 6	NWSW	8.8				

1394.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1317 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2417F, 43-2418F, 43-4060F, 43-4061F, 43-4062F, 43-4063F, 43-4064F.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1394.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2417F, 43-2418F, 43-4060F, 43-4061F, 43-4062F, 43-4063F, 43-4064F, & 43-13064.

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 NO. 43-13064 IS AN EXPANSION OF RIGHT NOS. 43-2417F, 43-2418F, 43-4060F, 43-4061F, 43-4062F, 43-4063F, & 43-4064F PURSUANT TO SECTION 42-1416B, IDAHO CODE.

05/22/2001

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

RIGHT NUMBER: 43-2418F

NAME AND ADDRESS: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

VERIFIED BY: KKC

SOURCE: GROUND WATER

QUANTITY: 2.58 CFS

5268

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 784 AF. COMBINED RIGHT NOS.: 43-2417F, 43-2418F, 43-4060F,
43-4061F, 43-4062F, 43-4063F, 43-4064F

PRIORITY DATE: 01/31/1955

POINT OF DIVERSION:	T10S R27E S36	SWSNW	Within CASSIA County
	T11S R27E S1	SWSESE	Within CASSIA County
	T11S R27E S12	NESENE	Within CASSIA County
	T11S R27E S12	NESESE	Within CASSIA County
	T11S R28E S6	SENWNW	Within CASSIA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.58 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T10S R27E S36	SWNE	11	T10S R27E S36	NENW	20
T10S R27E S36	NWNW	28	T10S R27E S36	SWNW	29
T10S R27E S36	SESW	32	T10S R27E S36	NESW	30
T10S R27E S36	SWSW	5.7	T10S R27E S36	SESW	15
T10S R27E S36	NESE	5	T10S R27E S36	NWSE	40
T10S R27E S36	SWSE	29	T10S R27E S36	SESE	40
T10S R28E S31	SWSW	17	T11S R27E S1	LOT 1 NENE	36
T11S R27E S1	LOT 2 NWNE	6.1	T11S R27E S1	LOT 3 NENW	35
T11S R27E S1	LOT 4 NWNW	31	T11S R27E S1	SWNW	8.2
T11S R27E S1	SESW	10	T11S R27E S1	NESW	33
T11S R27E S1	NWSW	32	T11S R27E S1	SWSW	32
T11S R27E S1	SESW	33	T11S R27E S1	NESE	32
T11S R27E S1	NWSE	33	T11S R27E S1	SWSE	31
T11S R27E S12	NENE	33	T11S R27E S12	NWNE	33
T11S R27E S12	SWNE	33	T11S R27E S12	SENE	31
T11S R27E S12	NENW	33	T11S R27E S12	NWNW	32
T11S R27E S12	SESE	32	T11S R27E S12	SWNW	33
T11S R27E S12	SESW	32	T11S R27E S12	NESW	32
T11S R27E S12	NWSW	29	T11S R27E S12	SWSW	29
T11S R27E S12	SESW	31	T11S R27E S12	NESE	32
T11S R27E S12	NWSE	33	T11S R27E S12	SWSE	30
T11S R27E S12	SESE	29	T11S R28E S6	LOT 3 NENW	13
T11S R28E S6	LOT 4 NWNW	45	T11S R28E S6	LOT 5 SWNW	41
T11S R28E S6	SESW	27			

1317 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1317 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-2417F, 43-2418F, 43-4060F,
43-4061F, 43-4062F, 43-4063F, 43-4064F

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