

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: A43-10087  
Date Received: 4/14/1989  
Receipt No: S006873  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WEBB BROS.  
Address: STAR RT. BOX 55  
DECLO, ID

83323

208-349-5740

2. Date of Priority: NOV 19, 1987

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   | 25      | NE     | NE     | NW     |     | CASSIA |
|          | 28E   | 19      | NW     | SW     | SW     |     | CASSIA |

5. Description of diverting works:  
TWO WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 7.100  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 10S      | 27E   | 24      | SW     | NE     |     | IRR | 28.0  |
|          |       |         | SE     | NE     |     | IRR | 40.0  |
|          |       |         | SW     | NW     |     | IRR | 25.0  |

A43-10087

Page 1

Date: 04/14/89

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4           | of | 1/4           | Lot  | Use   | Acres |       |
|----------|-------|---------|---------------|----|---------------|------|-------|-------|-------|
| 10S      | 27E   | 24      | SE            |    | NW            |      | IRR   | 12.0  |       |
|          |       |         | NE            |    | SW            |      | IRR   | 5.0   |       |
|          |       |         | NW            |    | SW            |      | IRR   | 28.0  |       |
|          |       |         | NE            |    | SE            |      | IRR   | 40.0  |       |
|          |       |         | NW            |    | SE            |      | IRR   | 5.0   |       |
|          |       |         | SE            |    | SE            |      | IRR   | 30.0  |       |
|          |       |         |               |    | Section Acres |      |       |       | 213.0 |
|          |       |         | 25            | NE |               | NE   |       | IRR   | 30.0  |
|          |       | NW      |               |    | NE            |      | IRR   | 37.5  |       |
|          |       | SW      |               |    | NE            |      | IRR   | 32.5  |       |
| SE       |       | NE      |               |    | IRR           | 30.0 |       |       |       |
| NE       |       | NW      |               |    | IRR           | 22.0 |       |       |       |
|          |       |         | Section Acres |    |               |      | 152.0 |       |       |
|          | 28E   | 19      | SW            |    | NW            |      | IRR   | 15.0  |       |
| NW       |       |         |               | SW |               | IRR  | 37.0  |       |       |
| SW       |       |         |               | SW |               | IRR  | 10.0  |       |       |
|          |       |         | Section Acres |    |               |      | 62.0  |       |       |
|          |       |         | Total Acres   |    |               |      | 427.0 |       |       |

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:

EXPANDED USE ON ACRES OUTSIDE THE PIVOTS ARE CLAIMED ON SEPERATE CLAIM: A43-10087 AND WHEN COMBINED WITH WR'S A43-04016B AND A43-04017 CANNOT EXCEED 7.10 CFS TOTAL. THIS CLAIM IS CLAIMED ACCORDING TO IDAHO CODE 42-1416B. ACTUAL USE STARTED IN 1983.

\*\*\*\*\*OTHER WATER RIGHTS\*\*\*\*\*  
A43-04203A      A43-04203B      A43-04198  
A43-04016B      A43-04017      A43-10087  
A43-02180      A43-02264      A43-02084  
\*\*\*\*\*

15. Basis of Claim: BENEFICIAL USE

A43-10087

Page

2

Date: 04/14/89

MICROFILMED  
MAR 04 1993

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.

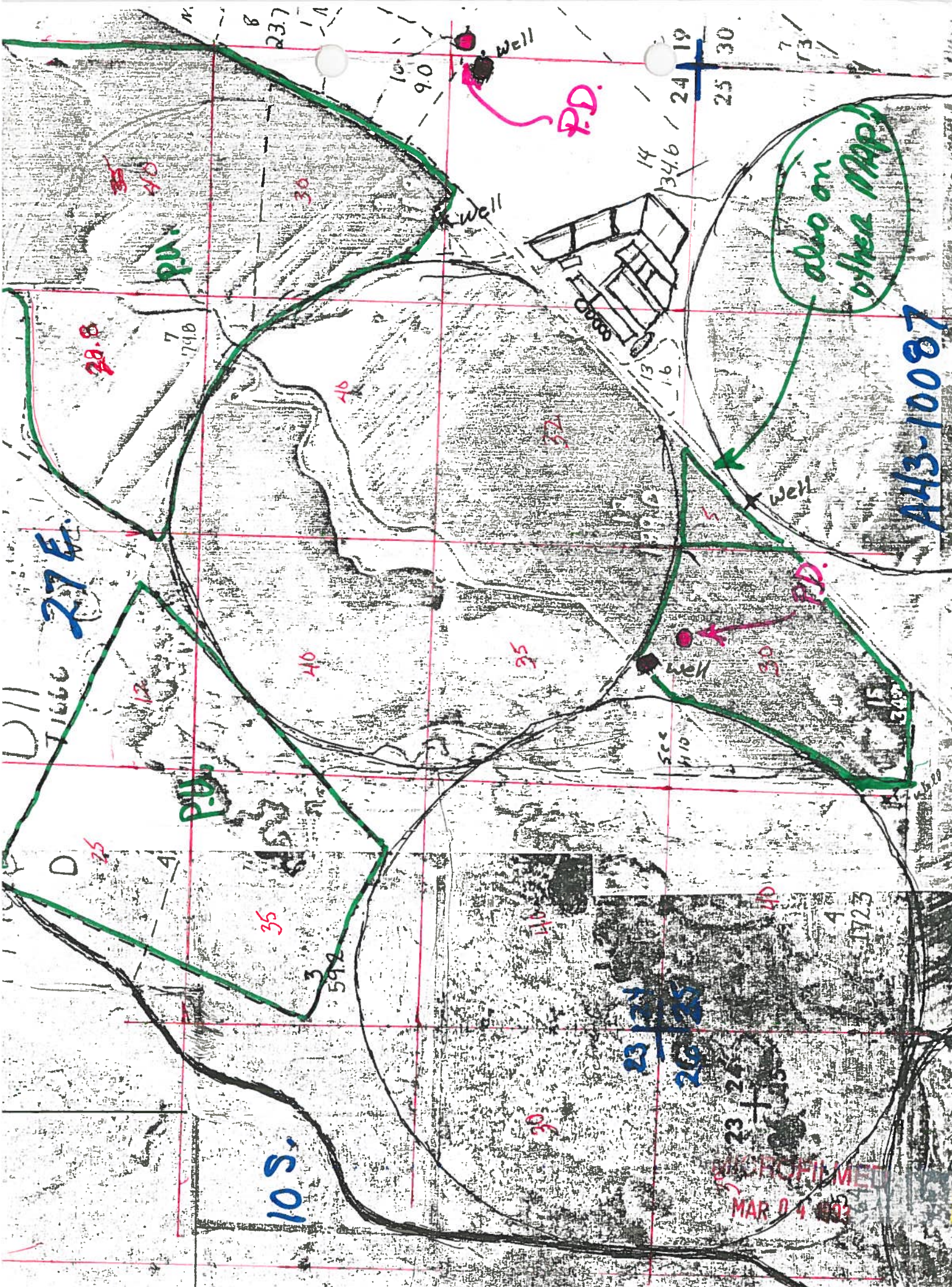
Allan L Webb  
Signature of Authorized Agent  
Partner Webb Bros  
Title and Organization  
April 14, 1989  
Date

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup> day  
of April 19 89  
Steve Chell  
Notary Public

Seal

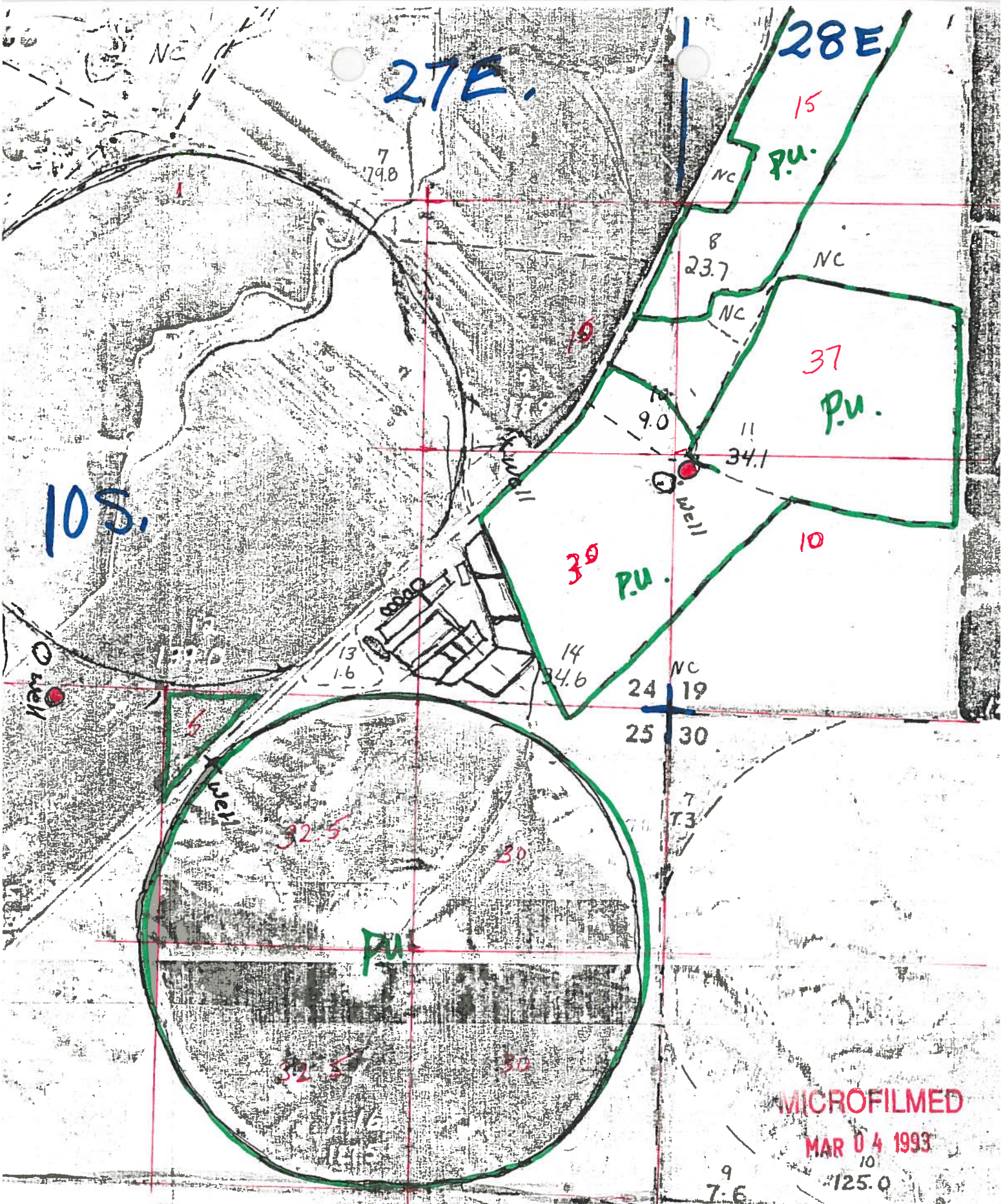
Residing at \$ Twin Falls  
My Commission Expires Dec 7, 1994



also on  
other maps

443-10087

REPRODUCTION  
MAR 04 1993



MICROFILMED

MAR 04 1993

A43-10087

13  
10.0



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

43-10087  
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: [Signature]

**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 |



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

December 5, 1991

R. KEITH HIGGINSON  
Director

A43-10087  
WEBB BROS.  
STAR RT. BOX 55

DECL0

ID 83323

RE: Evidence of Priority

**\*RESPONSE DEADLINE\***  
**FEBRUARY 3, 1992**  
**\*\*\*\*\***

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

**The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.**

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.  
Water Rights Supervisor

Enclosures

**MICROFILMED**

**MAR 04 1993**

RECEIVED

FEB 19 2002

Department of Water Resources  
Southern Region

KC  
JR

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 43-10087

(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)

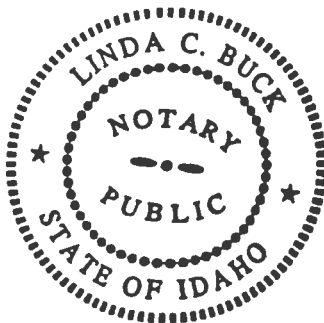
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford  
(Signature of person filing objection)

Larry C. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 7, 2002



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: 43-10087  
NAME AND ADDRESS: WEBB BROS  
22 N YALE RD  
DECLO ID 83323

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.980 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1335 AF. COMBINED RIGHT NOS.: 43-13071, 43-13073, 43-13063, AND 43-10084.

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: 06/30/1985

POINT OF  
DIVERSION:

T10S R27E S24 SESESW Within CASSIA County  
T10S R28E S19 SWNSW Lot 3 Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 2.980 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 |
| T10S R27E S24                 | SENE | 40.0                     | T10S R27E S24 | SWNW |
| T10S R27E S24                 | SENE | 23.0                     | T10S R27E S24 | NESW |
| T10S R27E S24                 | NWSW | 40.0                     | T10S R27E S24 | SWSW |
| T10S R27E S24                 | SESW | 40.0                     | T10S R27E S24 | NESE |
| T10S R27E S24                 | NWSE | 40.0                     | T10S R27E S24 | SWSE |
| T10S R27E S24                 | SESE | 23.0                     | T10S R27E S25 | NENE |
| T10S R27E S25                 | NWNE | 34.0                     | T10S R27E S25 | SWNE |
| T10S R27E S25                 | SENE | 32.0                     | T10S R27E S25 | NENW |
| T10S R27E S25                 | NWNW | 39.0                     | T10S R27E S26 | NENE |
| 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 327.7 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:

**-THERE IS NO USE TAKING PLACE AT THE AFFECTED POU**

1341

09/19/2001

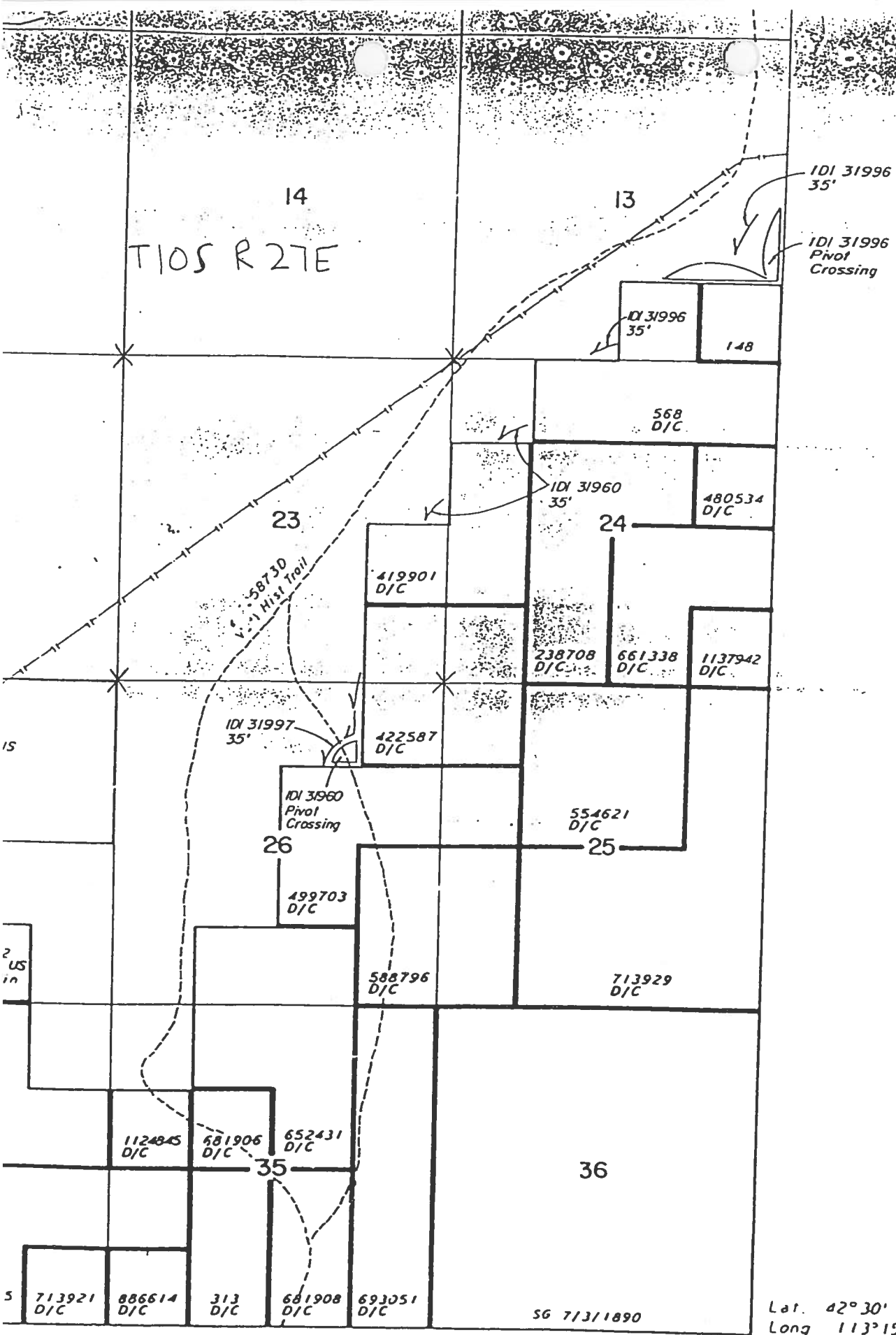
IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

---

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.  
THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13071, 43-13073, AND 43-13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

ID: 25872  
 Historic  
 public  
 ID: 25873  
 Historic  
 public



FOR ORDERS &  
 UNIDENTIFIED  
 MISCELLANEOUS

|           |
|-----------|
| CURRENT   |
| 1         |
| USE PLATS |

Lat. 42° 30' N  
 Long 113° 15' W

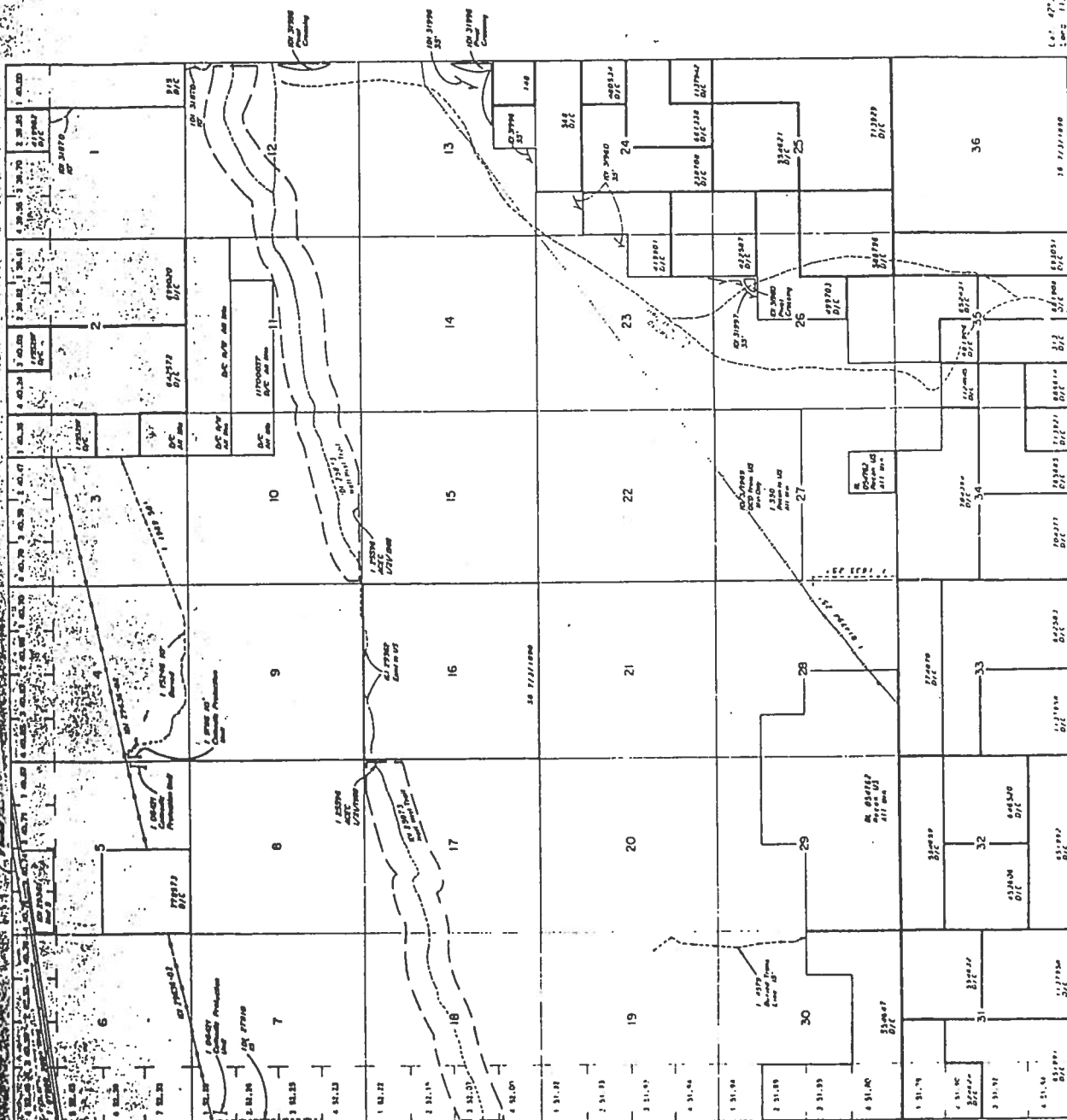
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT  
 ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE

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

CASSIA COUNTY, IDAHO

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT. PLAT



| TRACT NO. | Y | R | SEC. | ORIGINAL SURVEY | SUBDIVISION |
|-----------|---|---|------|-----------------|-------------|
| 1         | 1 | 1 | 1    | 1               | 1           |
| 2         | 1 | 1 | 2    | 1               | 1           |
| 3         | 1 | 1 | 3    | 1               | 1           |
| 4         | 1 | 1 | 4    | 1               | 1           |
| 5         | 1 | 1 | 5    | 1               | 1           |
| 6         | 1 | 1 | 6    | 1               | 1           |
| 7         | 1 | 1 | 7    | 1               | 1           |
| 8         | 1 | 1 | 8    | 1               | 1           |
| 9         | 1 | 1 | 9    | 1               | 1           |
| 10        | 1 | 1 | 10   | 1               | 1           |
| 11        | 1 | 1 | 11   | 1               | 1           |
| 12        | 1 | 1 | 12   | 1               | 1           |

RECEIVED

NOV - 2 2001

Department of Water Resources

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

Case No. 39576

A. Subcase 43-10087

(Insert water right number)

STANDARD FORM 1  
OBJECTION

RECEIVED

NOV 07 2001

Department of Water Resources  
Southern Region

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Webb Bros

Address: 22 N. Yale Rd

Declo Id 83323

Daytime Phone: (208) 349 5740

Name & Address of Attorney, if any:

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

Name: Webb Bros

Address: 22 N Yale Rd

Declo Id 83323

F.

**VERIFICATION** (Must be Completed)

State of Idaho )  
 )ss.

County of Cassia )

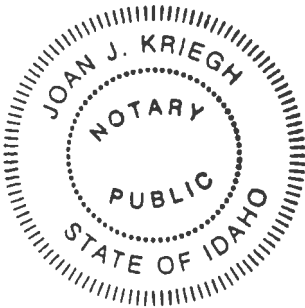
Weht Bros. by Todd B. Weht, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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.

Todd B. Weht  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 25, 2001  
Joan J. Kriegh  
Notary Public for Idaho  
Residing at: Busby  
My Commission Expires: 1-1-2004



**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.



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](mailto:kchrste@idwr.state.id.us)

enclosures

**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.: 43-10087    |
|                | ) |                          |
| 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: 43-10087  
NAME AND ADDRESS: WEBB BROS  
22 N YALE RD  
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.980 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1335 AF. COMBINED RIGHT NOS.: 43-13071, 43-13073, 43-13063, AND 43-10087.

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: 06/30/1985

POINT OF  
DIVERSION:

T10S R27E S24 SESESW Within CASSIA County  
T10S R28E S19 SWNSW Lot 3 Within CASSIA County

COPY

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 2.980 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       | 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 327.7 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.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13071, 43-13073, AND 43-13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

## 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

COPY

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

\_\_\_\_\_  
Signature of person or attorney mailing the form

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

Water Right 43-10087

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.98 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1335 AF. COMBINED RIGHT NOS.: 43-13071, 43-13073, 43-13063, AND 43-10087.

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: 06/30/1985

POINT OF DIVERSION:

T10S R27E S24 SESESW Within CASSIA County

T10S R28E S19 SWNWSW Lot 3 Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 2.980 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       | 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 327.7 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. THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13071, 43-13073, AND 43-13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 43-10087

08/01/2001

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

RIGHT NUMBER: 43-10087

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

VERIFIED BY KKC

SOURCE: GROUND WATER

QUANTITY: 2.98 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1335 AF. COMBINED RIGHT NOS.: 43-13071, 43-13073, 43-13063, AND 43-10084.

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: 06/30/1985

POINT OF DIVERSION: T10S R27E S24 SESESW Within CASSIA County  
T10S R28E S19 LOT 3 SWNWSW Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|---------------|----------|
| IRRIGATION     | 03-15 11-15   | 2.98 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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 327.7 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:

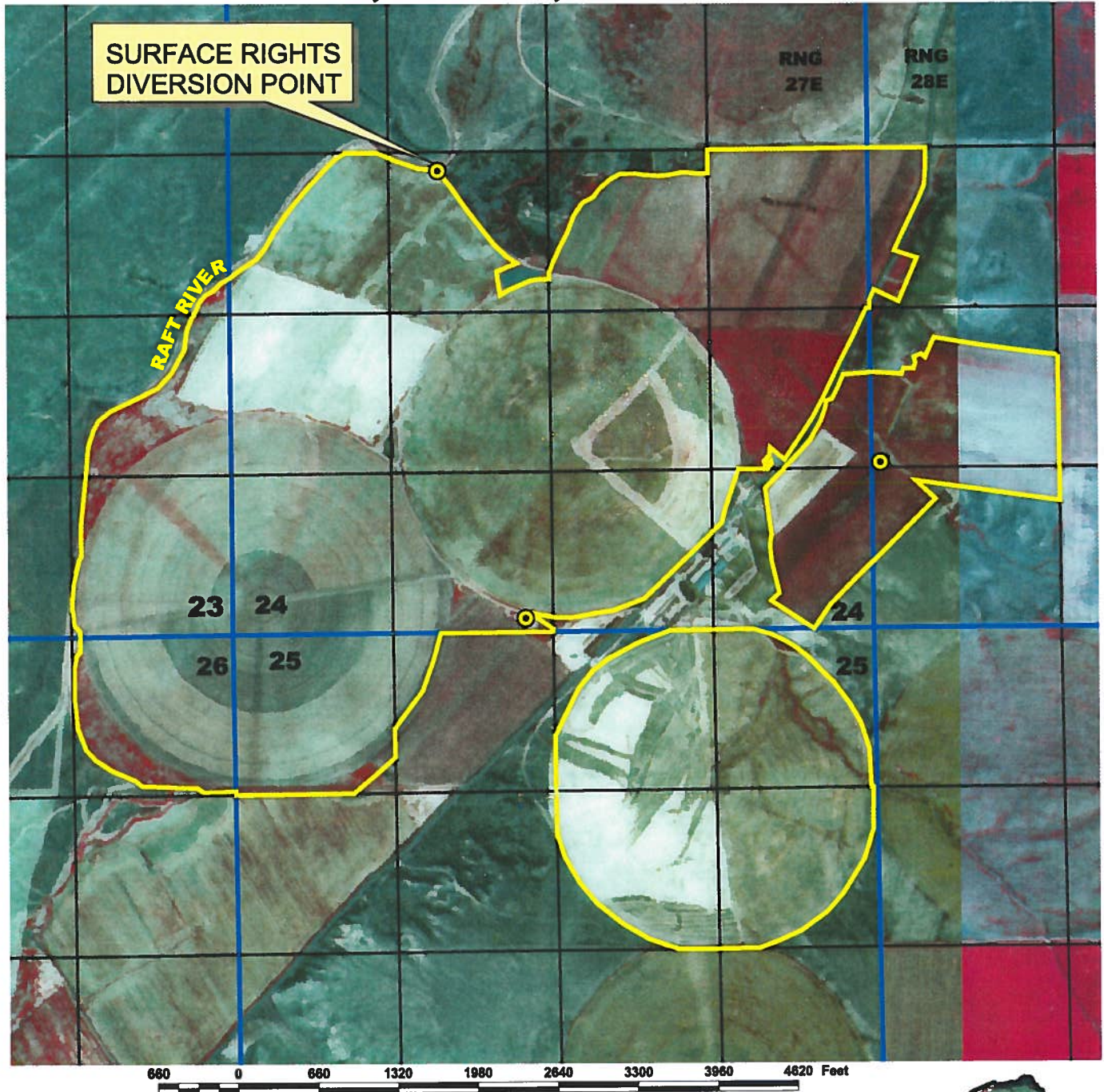
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13071, 43-13073, AND 43-13063 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR  
43-13071, 43-13073, 43-13063, 43-10087,  
43-2084, 43-2180, AND 43-2264.**



**PLACE OF USE**  
TWP 10S, RNG 27E, SEC 23, 24, 25, & 26  
TWP 10S, RNG 28E, SEC 19  
Data entry on July 31, 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**

