

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 43-13072
Date Received: 7/3/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WEBB BROS Phone: (208)349-5740
22 N YALE RD
DECLO ID USA 83323

2. Date of Priority: 05/29/1952

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	27E	24	NE SE	CASSIA	
10S	27E	25	NE NW	CASSIA	
10S	27E	25	NW NE	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.15	28.3
COMMERCIAL	01/01	12/31	0.15	36.7

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 65 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	27E	24	SE SW	STOCKWATER	
10S	27E	25	NE NW	STOCKWATER	
			NW NW	STOCKWATER	
			NW NE	STOCKWATER	

SW	NW	STOCKWATER
SE	NW	STOCKWATER
NE	NW	COMMERCIAL

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:

The total instantaneous diversion of water from all points of diversion under Transfer 5239 shall not exceed 0.27 cfs, nor a total combined annual volume of 116.0 af.

The remainder of Right 43-04016B is identified as 43-13073 and is limited to a diversion rate of 3.63 cfs and irrigation of 253.0 acres each year.

The acres which are no longer authorized for irrigation under Rights 43-04016C and 43-04017A are specifically described as follows: 29.0 acres in the NENW, S25, T10S, R27E.

Transfer 5239 adds & changes the point of diversion, and changes the nature & season of use under a portion of Right 43-04016B (C & D) & Right 43-04017 (A & B), splitting each right.

43-4016B the parent right was split through T-5239 creating Child rights 43-13072 and 43-13073.

15. Basis of Claim: Statutory Claim

COPY

2002 JAN 25 PM 2: 23
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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: 43-13070, 43-13072
Case No. 39576)
_____) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

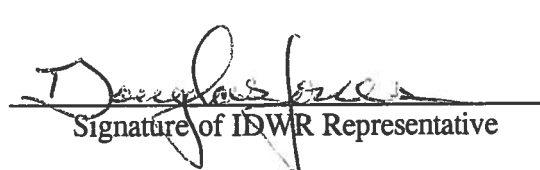
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

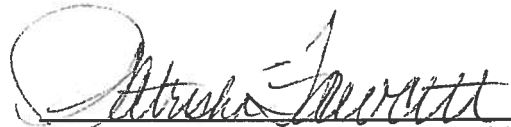
Dated: 1/23/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, ²⁰⁰²~~2001~~, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Webb Brothers Land & Livestock
22 N Yale Rd
Declo ID 83323
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

12/04/2001

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

RIGHT NUMBER: 43-13070
NAME AND ADDRESS: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83323

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.120 CFS
51.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF .27 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
116 AF. COMBINED RIGHT NOS.: 43-13070 and 43-13072.

PRIORITY DATE: 05/29/1952

POINT OF
DIVERSION: T10S R27E S25 NENW Within CASSIA County
T10S R27E S25 SWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS 51.00 AFY
COMMERCIAL	01/01 12/31	0.120 CFS 51.00 AFY

PLACE OF USE: STOCKWATER Within CASSIA County

T10S R27E S24	SESW	T10S R27E S24	SWSE
T10S R27E S25	NWNE	T10S R27E S25	NENW
T10S R27E S25	NWNW	T10S R27E S25	SWNW
T10S R27E S25	SENW		

COMMERCIAL Within CASSIA County

T10S R27E S23	NESE	T10S R27E S23	SESE
T10S R27E S24	SWNE	T10S R27E S24	SENE
T10S R27E S24	SWNW	T10S R27E S24	SENW
T10S R27E S24	NESW	T10S R27E S24	NWSW
T10S R27E S24	SWSW	T10S R27E S24	SESW
T10S R27E S24	NESE	T10S R27E S24	NWSE
T10S R27E S24	SWSE	T10S R27E S24	SESE
T10S R27E S25	NENE	T10S R27E S25	NWNE
T10S R27E S25	SWNE	T10S R27E S25	SENE
T10S R27E S25	NENW	T10S R27E S25	NWNW
T10S R27E S25	SWNW	T10S R27E S25	SENW
T10S R27E S25	NWSW	T10S R27E S26	NENE
T10S R27E S26	SWNE	T10S R27E S26	SENE
T10S R27E S26	NESE	T10S R27E S26	NWSE
T10S R27E S26	SWSE	T10S R27E S26	SESE
T10S R27E S35	NENE	T10S R27E S35	NWNE

12/04/2001

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

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 - Beneficial Use

THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS APPROVAL INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

12/05/2001

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

RIGHT NUMBER: 43-13072

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
65.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF .27 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
116 AF. COMBINED RIGHT NOS.: 43-13070 and 43-13072.

PRIORITY DATE: 05/29/1952

POINT OF
DIVERSION:

T10S R27E S25 NENW Within CASSIA County
T10S R27E S25 SWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.150 CFS 65.00 AFY
COMMERCIAL	01/01 12/31	0.150 CFS 65.00 AFY

PLACE OF USE: STOCKWATER Within CASSIA County

T10S R27E S24	SESW	T10S R27E S24	SWSE
T10S R27E S25	NWNE	T10S R27E S25	NENW
T10S R27E S25	NWNW	T10S R27E S25	SWNW
T10S R27E S25	SENW		

COMMERCIAL Within CASSIA County

T10S R27E S23	NESE	T10S R27E S23	SESE
T10S R27E S24	SWNE	T10S R27E S24	SENE
T10S R27E S24	SWNW	T10S R27E S24	SENW
T10S R27E S24	NESW	T10S R27E S24	NWSW
T10S R27E S24	SWSW	T10S R27E S24	SESW
T10S R27E S24	NESE	T10S R27E S24	NWSE
T10S R27E S24	SWSE	T10S R27E S24	SESE
T10S R27E S25	NENE	T10S R27E S25	NWNE
T10S R27E S25	SWNE	T10S R27E S25	SENE
T10S R27E S25	NENW	T10S R27E S25	NWNW
T10S R27E S25	SWNW	T10S R27E S25	SENW
T10S R27E S25	NWSW	T10S R27E S26	NENE
T10S R27E S26	SWNE	T10S R27E S26	SENE
T10S R27E S26	NESE	T10S R27E S26	NWSE
T10S R27E S26	SWSE	T10S R27E S26	SESE
T10S R27E S35	NENE	T10S R27E S35	NWNE

RECEIVED

DEC 09 1998

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5239
WATER RIGHT NO(S). 43-04016D/43-04017B

This is to certify that: WEBB BROS DAIRY LLC
22 N YALE BOX 55
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>
Right No. 43-04016D :			
STOCKWATER	01/01 to 12/31	0.15 CFS	28.3 AF
COMMERCIAL	01/01 to 12/31	0.15 CFS	36.7 AF
Priority: 05/29/1952			
SUBTOTAL:		0.15 CFS	65.0 AF
Right No. 43-04017B :			
STOCKWATER	01/01 to 12/31	0.12 CFS	22.2 AF
COMMERCIAL	01/01 to 12/31	0.12 CFS	28.8 AF
Priority: 05/29/1952			
SUBTOTAL:		0.12 CFS	51.0 AF
TOTAL:		* 0.27 CFS	* 116.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 24, Township 10S, Range 27E
NWNE , Sec. 25, Township 10S, Range 27E
NENW , Sec. 25, Township 10S, Range 27E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10S 27E	24	SESW		
	25	NWNE	NENW	NWNW
		SWNW	SENW	

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 27E	25	NENW
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TRANSFER NO. 5239
WATER RIGHT NO(S). 43-04016D/43-04017B

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5239 does not confirm Claimed Rights 43-04016D and 43-04017B.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
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 5239 shall not exceed 0.27 cfs, nor a total combined annual volume of 116.0 af.
9. 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.
10. The remainder of Right 43-04016B is identified as 43-04016C and is limited to a diversion rate of 3.63 cfs and irrigation of 253.0 acres each year.
11. The remainder of Right 43-04017 is identified as 43-04017A and is limited to a diversion rate of 2.98 cfs and irrigation of 253.0 acres each year.
12. Prior to use of water for irrigation purposes under Rights 43-04016C and 43-04017A, the right holder shall install a measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
13. The acres which are no longer authorized for irrigation under Rights 43-04016C and 43-04017A are specifically described as follows: 29.0 acres in the NENW, S25, T10S, R27E.

Dated this 3rd day of

December, 1998

J. Shaw Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 43-04016B & 43-04017

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5239

DATE: November 30, 1998

Transfer 5239 adds and changes the points of diversion, and changes the nature and season of use under a portion of Rights 43-04016B (C & D) and 43-04017 (A & B), splitting each right.

The transfer changes the nature of use of 29.0 irrigated acres to provide water for stockwater and commercial use at an existing dairy built on-site. Irrigation use has been confirmed by region staff. The dairy requirements were calculated using the IDWR dairy worksheet with information provided by the applicant. The transfer from irrigation to stockwater and commercial use results in a reduction of consumptive use. Further review of the validity of these claimed rights will be done through SRBA evaluation.

Recommended conditions include water quality, county zoning, multiple points of diversion/measuring devices, future annual reporting, remaining irrigation use under Rights 43-04016C and 43-04017A, non-confirmation of claims and standard transfer conditions.

Change in Nature of Use Evaluation

Original:

43-04016B	3.78 cfs	IRR	282.0 acres	(1128.0 afa/846.0 afa)
43-04017	3.10 "	"	" "	" " " "
	6.88 cfs	IRR	282.0 acres	(1128.0 afa/846.0 afa)

After:

43-04016C	3.63 cfs	IRR	253.0 acres	(1012.0 afa/759.0 afa)
43-04017A	2.98 cfs	"	" "	" " " "
	6.61 cfs	IRR	253.0 acres	(1012.0 afa/ 759.0 afa)
43-04016D	0.15 cfs	STOCK/COMM	(29.0 acres)	65.0 afa/ 7.5 afa
43-04017B	0.12 "	" "	" "	51.0 " / 9.5 "
	0.27 cfs	STOCK/COMM		116.0 afa/ 17.0 afa

Total:	6.88 cfs	DAIRY/IRR	253.0 acres	1128.0 afa/ 776.0 afa
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DATE: June 10, 1998

43-04017

-Webb Bros. Dairy

Review and Recommendation

This transfer proposes to dry up 29 acres and convert the irrigation use to that of stockwater and commercial use associated with development of a dairy. Actually the conversion has already occurred. See file. The dairy has been built on the historically irrigated land.

The transfer was advertised with no protest.

ANALYSIS

I recommend that transfer #5239 be approved with the following conditions:

-Measuring device(s) shall be installed and maintained on the well associated with the dairy and is subject to measuring and reporting in the future.

-The remaining irrigation use is subject to SRBA review.

-Subject to all other local, state & federal requirements as needed.

6/10/98 :

Total diversion rate under 43-04016C, -04016D,
-04017A & -04017B is limited to 8.34%
& a total annual volume of 1128 AFA

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant WEBB BROS. DAIRY LLC Phone (208) 344-5740
Post Office address 22 N. YALE BOX 55, DEERLO, ID. 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 _____

Describe the reason for the proposed changes _____
IRRIGATED ACRES WERE DRIED UP TO CONVERT INTO DAIRY (29 acres)

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>43-04016D</u>	<u>05/29/1952</u>	<u>0.15</u>	<u>COMMERCIAL STOCK</u>	<u>1/1</u>	<u>12/31</u>
<u>43-04017B</u>	<u>" " " "</u>	<u>0.12</u>	<u>" " "</u>	<u>1/1</u>	<u>12/31</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Total amount of water being transferred 0.27 cubic feet per second and/or 116.4 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
		NE	NW	25	10S	27E	CASSIA	MAIN DAIRY WELL (A0004688)
		NW	NE	"	"	"	"	① BACK-UP " " (A0004689)
		NE	SE	24	10S	27E	"	② " " " " (A0004690)

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	
<u>05</u>	<u>27E</u>	<u>24</u>												<u>S</u>					
		<u>25</u>		<u>S</u>			<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>									

PART 1

General Information:

a. Description of diversion system MAIN WELL & BACK WELL STORAGE TANK
WITH PUMP TO DAIRY BARN & CORRALS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ 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:
IRRIGATED ACRES CONVERTED TO COMMERCIAL DAIRY OPERATION.

d. Remarks:
1200 MILKERS, 200 DRY, 3 MILKINGS/DAY, MILKERS WASHED
WITH SPRINKLERS
MR. ALLAN WEBB BEGAN TRANSFER IN 1990, PLEASE SEE "MEMO TO
FILE" WITH EXPLANATION OF DELAY.

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 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-04016B

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	3.78 CFS'

SOURCE

GROUNDWATER

Priority: 05/29/1952

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 25, Township 10S, Range 27E
SWSW , Sec. 19, Township 10S, 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	24	NESW 30	SESW 35	NWSE 15	
			SWSE 32			112
	25		NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 30		170
Total number of acres irrigated:						282

CONDITIONS/REMARKS:

1. TRANS. 2459, 1911 & 2237.
2. P/U & P/D COMBINED WITH 43-4017.

1. To your knowledge, has any portion of _____s water right undergone a period of five or more consecutive years of non-use?
_____ If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

amount 0.15 cfs for IRRIGATION purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: SEE PART 1 B.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
10S	27E	25					29												29

Total acres 29

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

1. amount 3.63 cfs for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: SEE PART 2 A.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
10S	27E	24									30			35		15	32		112
		25	35	35	35	35	1							35					141

Total acres 253

PART 2

TRANS NO. 5239

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-04017

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	3.10 CFS

SOURCE

GROUNDWATER

Priority: 05/29/1952

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 25, Township 10S, Range 27E
SWSW , Sec. 19, Township 10S, 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	24	NESW 30	SESW 35	NWSE 15	112
			SWSE 32			
	25		NENE 35	NWNE 35	SWNE 35	170
			SENE 35	NENW 30		282
Total number of acres irrigated:						282

CONDITIONS/REMARKS:

1. P/U & P/D COMBINED WITH 43-4016B.
2. TRANS. 2459, 1911 & 2237.

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

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

amount 0.12 cfs for IRRIGATION purposes from 1/1 to 12/31
amount for purposes from to
amount for purposes from to
amount for purposes from to

2. Point(s) of Diversion: SEE PART 1 B.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
10S	27E	25					29												29

Total acres 29

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

1. amount 2.98 cfs for IRRIGATION purposes from 4/1 to 11/1
amount for purposes from to
amount for purposes from to
amount for purposes from to

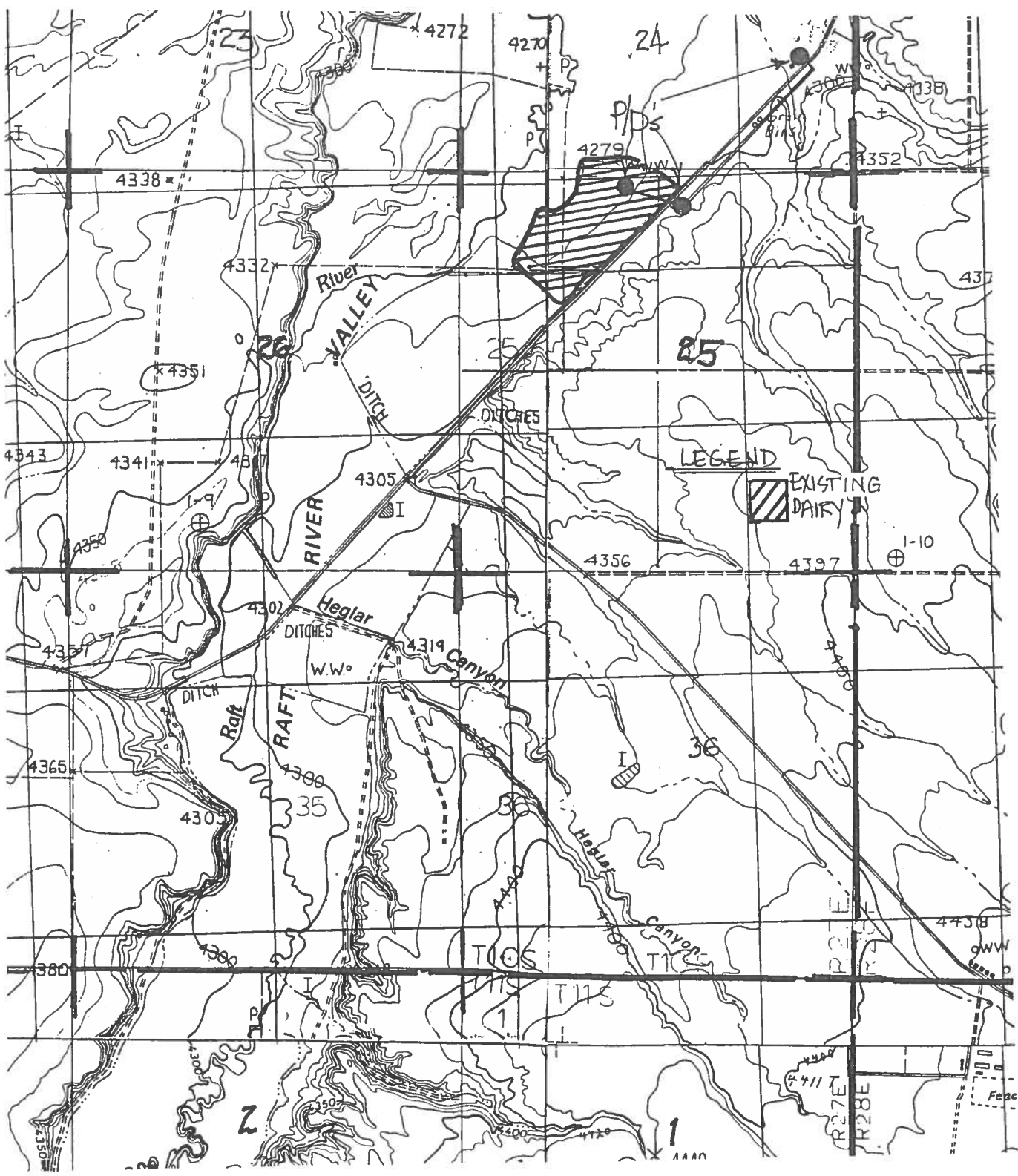
2. Point(s) of Diversion: SEE PART 2 A.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
10S	27E	24									30			35		15	32		112
		25	35	35	35										35	1			141

Total acres 253



R27E

K27E

Dom Well

$$\begin{array}{r} 23 \\ 26 \\ \hline 24 \\ 25 \end{array}$$

HEL

Don Well

Dom Well

Well

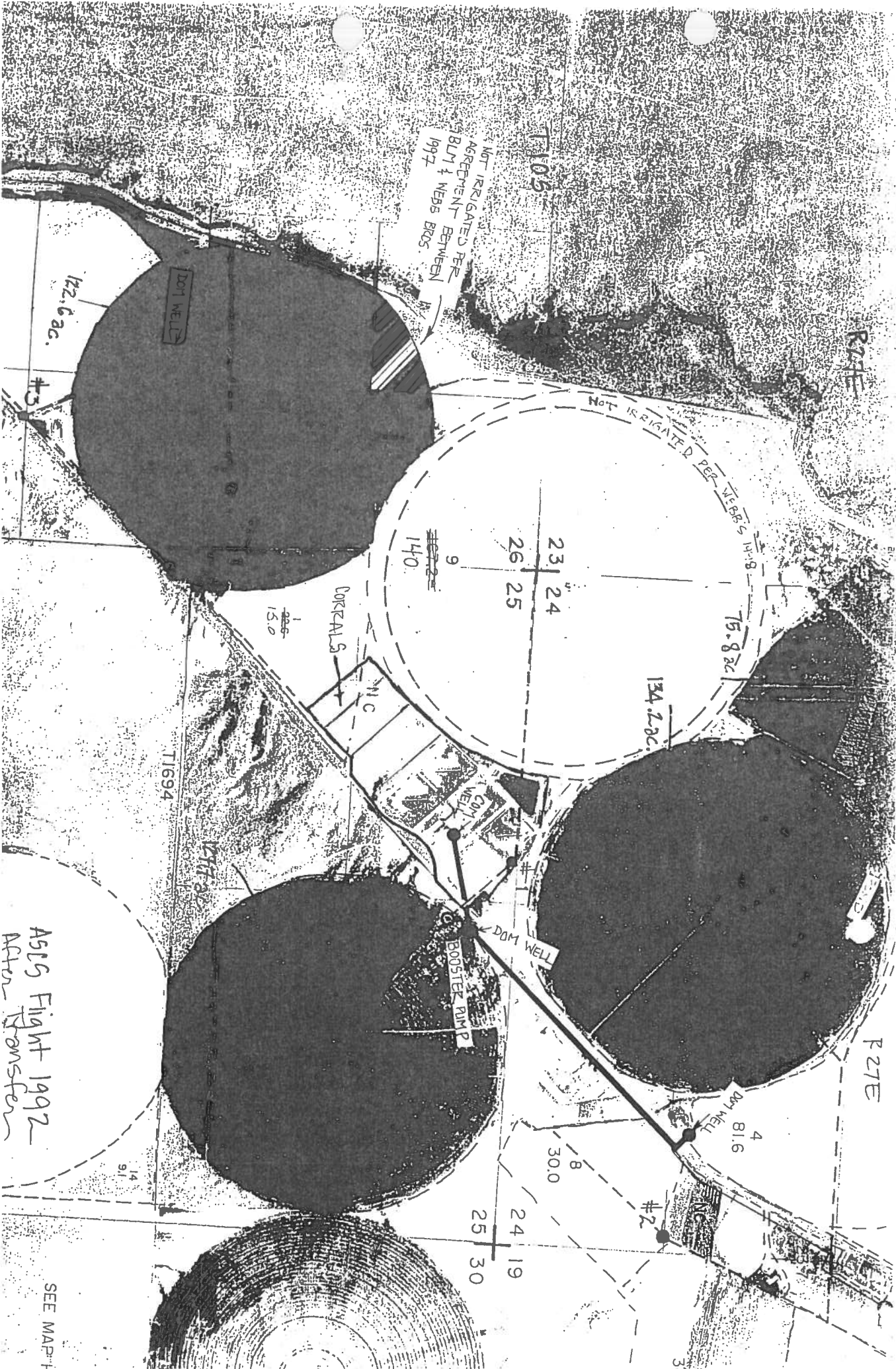
139.0 HEL

Donnell

34.5 Hel

ASCS Flight 1987+
Before Transfer

Before
TR



SEE MAP-1

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	COMMERCIAL	0.27 cfs	65.7 afa	1/1 to 12/31
	STOCKWATER	" 50.7 afa		1/1 to 12/31

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.

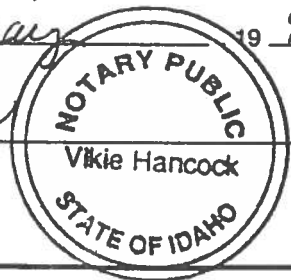
Scott C. Well

(Signature of Applicant)

Subscribed and sworn to before me this 25th day of February, 1998

Vikie Hancock

(Notary Public)



My commission expires 5-7-2003

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachments

Received by GLS Date 25 FEB 98 Protest filed by _____

Prelim. check by GLS Fee \$50

Receipted by GLS Date 25 FEB 98 5020909

Published in So. ID. Press Copies of protest forwarded by _____

Pub. dates 4/6 & 4/13/98 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

→ 5012469 7/2/90 \$50 Revd.

RECEIVED

FEB 26 1998

Department of Water Resources
Southern Region

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 18 March 1998
RE: Transfer per 43-04016B,-04017

The application for transfer, filed by Todd, Mark, and Scott Webb (brothers), of Webb Bros. Dairy LLC, seeks to modify (convert some irrigation use to stock and commercial use for their dairy) Statutory Claims 43-04016B and 43-04017. There is a expansion claim, A43-10087, that calls to the same irrigated acres as the claims associated with this transfer.

Originally Mr. Allan Webb, the father of the Webb brothers, started the transfer in July 1990. The current application for transfer is to encompass and conclude the attempt from 1990.

The analysis of change in nature of use is included on the dairy worksheet. The total diversion volume is 116.4 acre feet, stockwater 50.7 acre and commercial 65.7 acre feet. The dairy expansion is where the 29 irrigated acres use to be.

There are three wells associated with the dairy. The main well for the commercial use is located in the NENW $\frac{1}{4}$ Section 25, T10S, R27E. If the main well is incapacitated, the two domestic wells can be utilized. The first domestic well is located in the NWNE $\frac{1}{4}$ of Section 25, T10S, R27E, and the second domestic well is in the NESE $\frac{1}{4}$ of Section 24, T10S, R27E. The two domestic wells are claimed in the domestic and stock claims A43-10090 thru A43-10095, and all adjudication claims are limited to 13K gal/day.

-Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing SRBA.

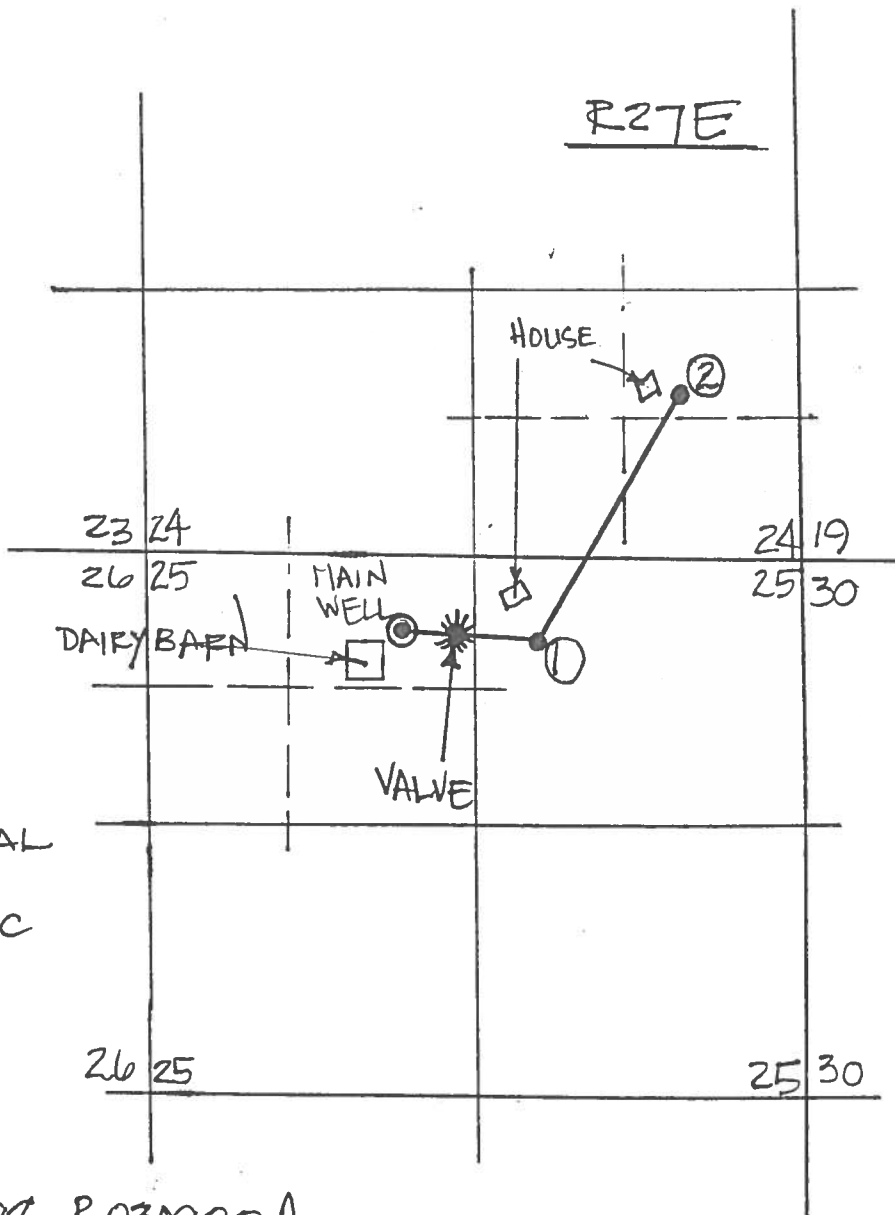
-Right holder shall obtain a measuring device on each point of diversion associated with the dairy.

NTS

T10S

R27E

- COMMERCIAL WELL
- DOMESTIC WELL



MAIN WELL A0004688 R030922A

① A0004689 R030922C

② A0004690 R030922D

WEBB BROS. LLC
09 MARCH 98
SATTERLEE, GL
43-04016B, -04017

FILE NUMBER _____ 43-04016B, -04017
 REVIEWER _____ Webb Bros. LLC

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 1200
 NUMBER OF NONMILKING CATTLE _____ 200
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO _____ 2.5
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 4
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS _____ 3
 NUMBER OF MILKINGS PER DAY _____ 3

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD _____ 0.78
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 0.78
 NONMILKING CATTLE @12 GPD/HD _____ 0.04
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 0.04
 TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.82

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE @35 GPD/HD _____ 47.0
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 48.0
 NONMILKING CATTLE @12 GPD/HD _____ 2.7
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 2.7
 TOTAL (BASED UPON ROUNDED NUMBERS) _____ 50.7

COMMERCIAL
 WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.5
 PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING _____ 65.1
 TOTAL _____ 65.7

TOTAL DIVERSION VOLUME _____ 116.4 = $\frac{116}{4} = 29.25$

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 MILKING _____ 7.0
 NONMILKING _____ 0.0
 TOTAL _____ 7.0

COMMERCIAL _____ 10.0

TOTAL CONSUMPTIVE USE _____ 17.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) _____	10.00	7.50	5.00
LIFT (FT) _____	63	63	63
DISCHARGE PRESSURE (PSI) _____	60	60	60
FRICTION LOSSES (FT) _____	10.0	10.0	10.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * _____	0.31	0.22	0.15
DIVERSION VOLUME (AFA) ** _____	221.2	158.1	110.6

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
 THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
 DAY OF THE YEAR.

/D ① serves the domestic/yard

GPS Tag A0004689

Photos taken at P/D ①
in NWNE 1/4 Section 25

Photos looking NW'ly

Main well
located near
barn

GPS Tag A0004688 around collar

P/D Main Well for Dairy
Sec 25, T10S, R27E NENW 1/4

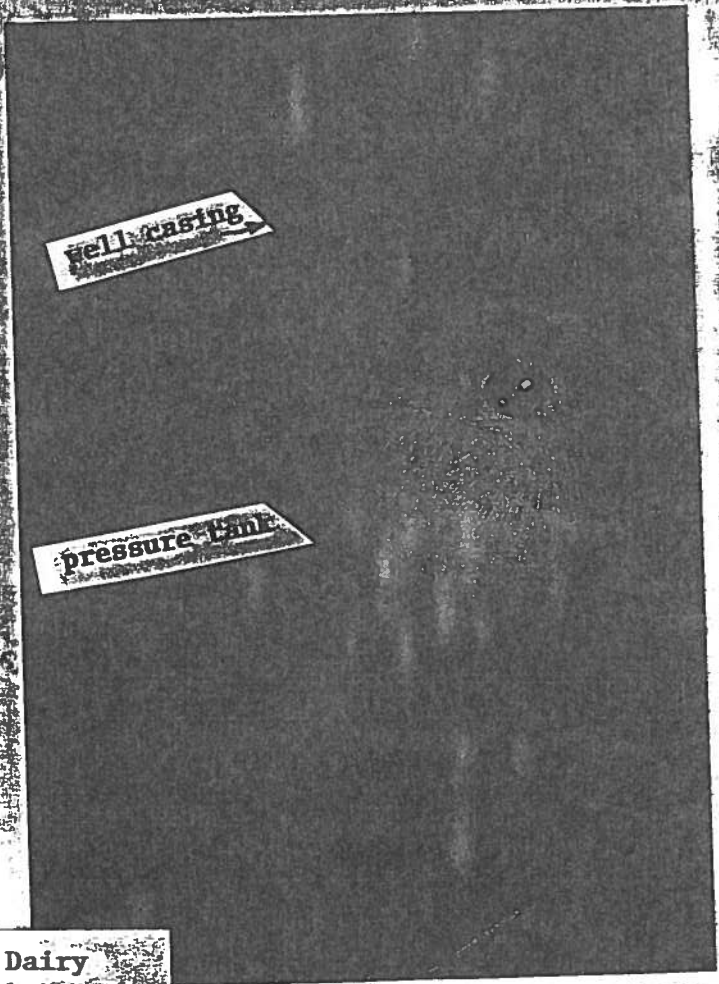
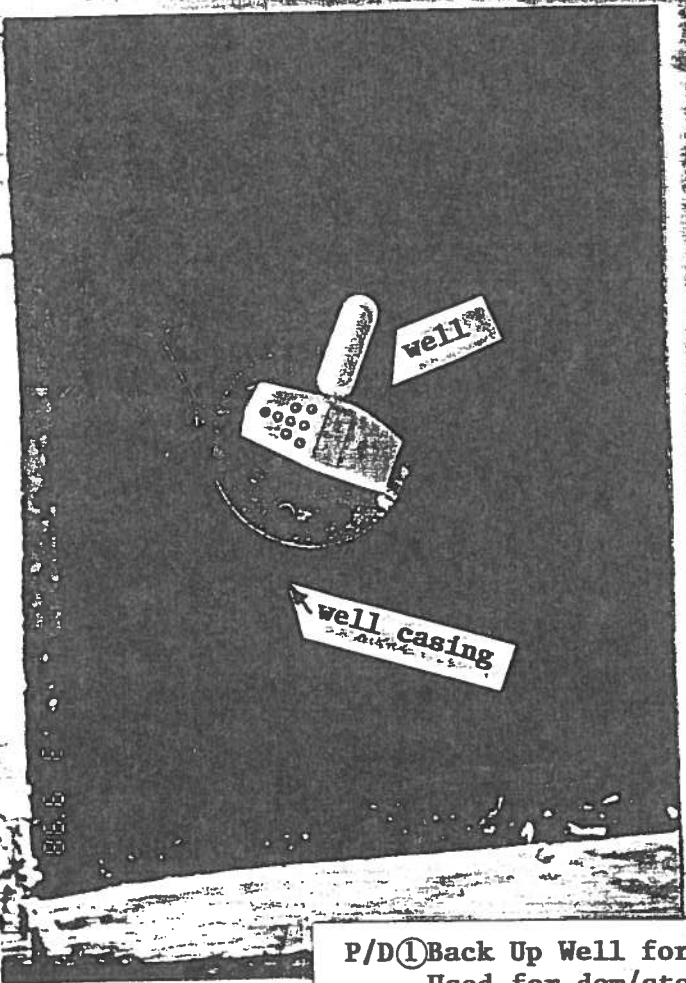
Photo looking N'ly

Webb Bros. Dairy LLC
09 Mar 1998 1600 hrs
Satterlee, G.
43-04016B, -04017

2/3

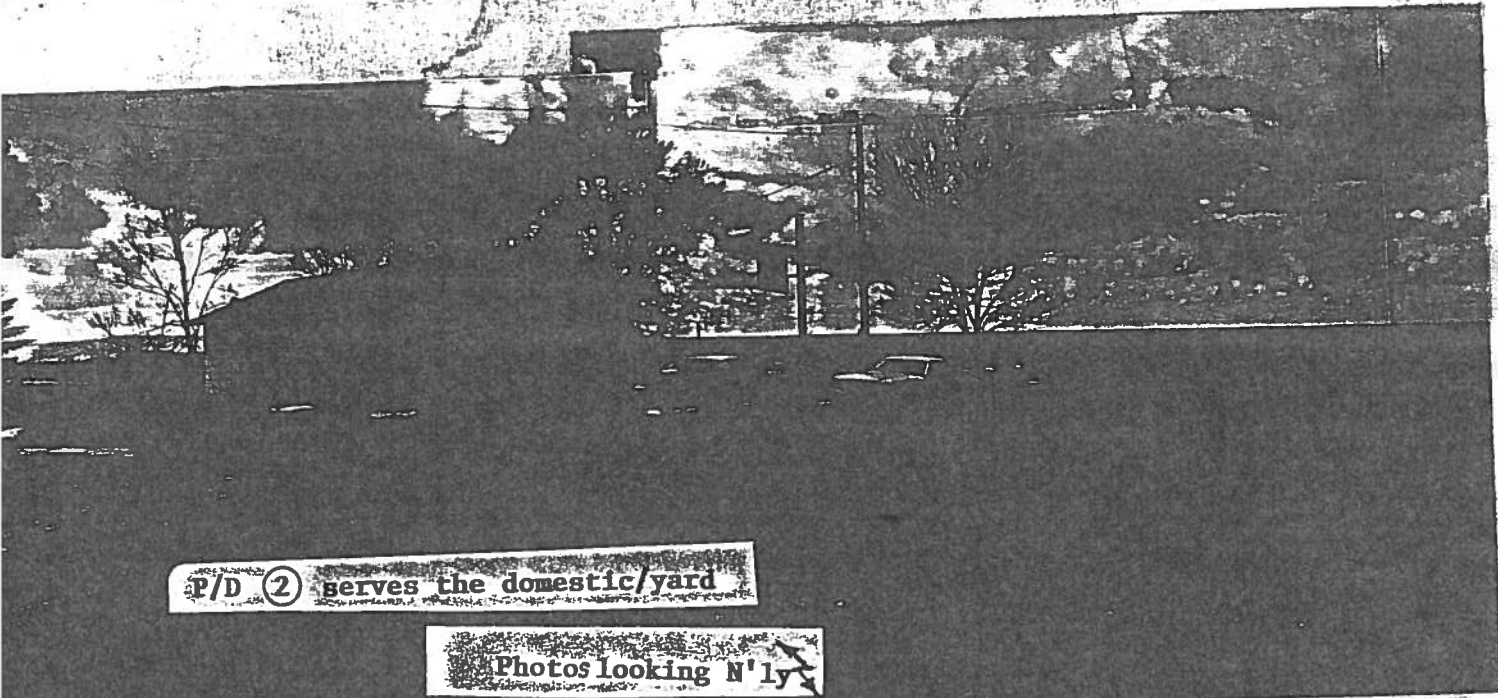
GPS Tag A0004689 on pole

pressure tank and well inside



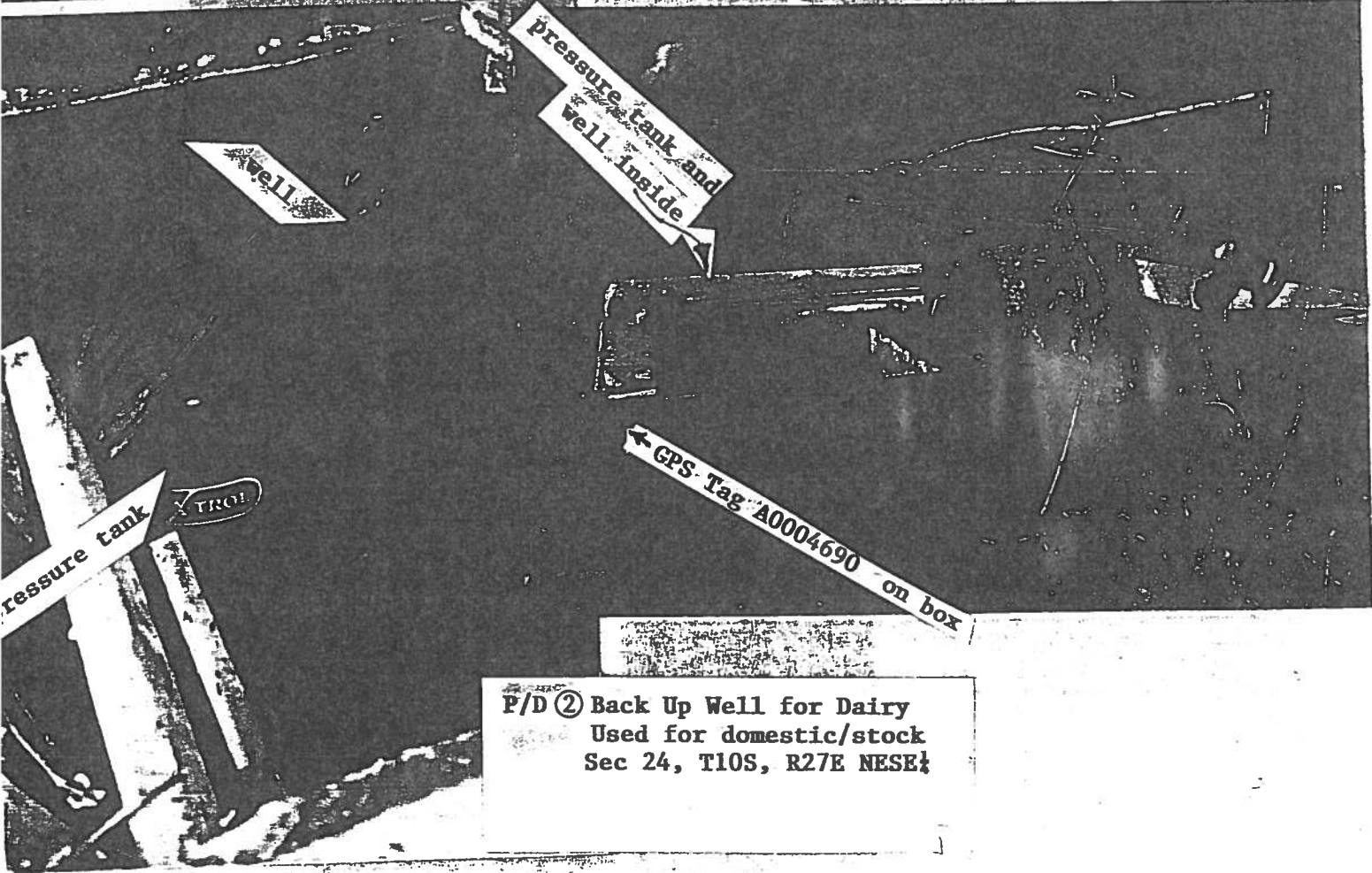
P/D ① Back Up Well for Dairy
Used for dom/stock
Sec 25, T10S, R27E NWNE 1/4

Webb Bros. Dairy LLC
09 Mar 1998 1600 hrs
Satterlee, G.
12 040162 04017



P/D ② serves the domestic/yard

Photos looking N'ly



P/D ② Back Up Well for Dairy
Used for domestic/stock
Sec 24, T10S, R27E NESE

ROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 43-04016B-04017
DATE: JANUARY 1998
BY: SATTIR LEE

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

- Q = CFS
- H.P. = Total Brake Horsepower of pumping plant (including booster)
- EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
- TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
- LIFT = depth to water in FEET from land surface to pumping water level
- PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$Q = \frac{(8.8) (10.0 \dots) (0.70)}{[(\dots 63 \dots) + (\dots 60 \dots \times 2.31)]} = \frac{61.6}{202} = 0.31 \text{ cfs}$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate (X)	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

15/9/1 Webb Brothers Transfer on 43-40168-4017
RJ

- Analysis of change in nature of use:

$$\text{Diversion volume - stock} = \frac{35 \times 1000 \times 365}{7.46 \times 43560} = 40 \text{ AF}$$

$$\text{Commercial} = \frac{0.42 \text{ cfs} \times 3600 \times 2 \times 365}{43560} = 25 \text{ A}$$

@ 4 AFA/ac need 16 acres Total = 65 AF

Consumptive volume - commercial and stock are
by and large less consumptive than
irrigation, not limiting

Diversion rate - statutory claims are for 282 ac

@ 1" / acre diversion rate limit is 5.64 cfs
Forgoing 17 acres gives diversion
rate of 0.34 cfs.

Conclusions: Diversion rate is limiting
factor in change of use.

- Field exam on system yielded capacity
greater than needed so system is
not limiting. Well in SW SW 319 pumped
2.03 cfs (annular). Well in NE NW 325
can pump 6.9 cfs (theoretical)

- Field exam on acres irrigated in 1987 (ASCS)
from these two wells is 748 acres. Only
water rights for these wells are 43-
4011 12 1-11-11

5/9/1 Webb Brothers Dam Analysis Continued

- Beneficial use expansion SRBA claim has been filed under 42-1416B presumption (A43-10087) IDAHO CODE
- Repeated attempts to resolve contradiction have not worked due to lack of response to phone calls or preparation for two meetings by applicants
- At time of in-field exam system was putting water on 655 acres by applicants statement.

Recommendations

- If transfer is approved limit diversion rate to .34 cfs, volume to 65 AF,
- Disclaim validity of claims, defer to SRBA.

cc Files A43-4016B, 4017, -10087

Underlying
 system 1 Water rights 43-4016 B, 43-4017
 2 wells interconnected: Well 1 SESW 24 T10S R27E
 Well 2 SWSW 19 T10S R28E

Provides water to about 647 acres:

128 acre pivot in NE 1/4 25 10S 27E

139 acre pivot in 24 10S 27E

160 acre pivot in 23, 24, 25, 26 10S 27E

80 acre handline tract

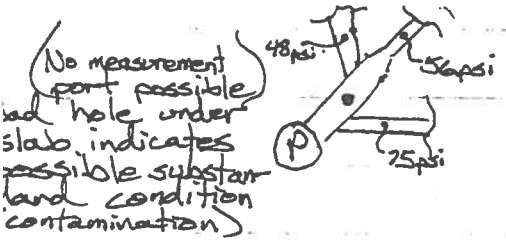
90 acre handline tract

50 acre handline tract

	NE	NE	SW	SE
362 24		29 40	25 30 36 20 37 39	27 40 32
35 23		1		8 7
199 25	33 33	32 32 33 35	1	
39 26	36 3			
Total 655 acres				

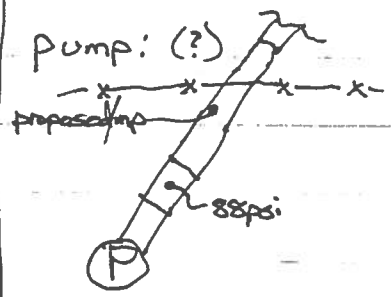
Well 1

Motor: 250 hp GE model # 5K6286XH74A
 Ser # JN1928133
 Pump: (?)



Well 2

Motor: 100 hp GE model # 5K6267XM3A
 Ser # CM1324131
 Pump: (?)



WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Webb Bros.
Address Star Rt. Box 55 Decle Idaho 83323
Owner's Permit No. 83-90-S-006

7. WATER LEVEL

Static water level 63 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature -85 OF. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☒ Stock ☐ Waste Disposal or Injection
☒ Other Dairy-Cook Stock (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	23	Topsoil		
8	23	30	Gravel		
8	30	69	Sand		
8	69	79	Gravel w/water		
7	79	85	Sand & Gravel		
8	85	103	Gravel		

4. METHOD DRILLED

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ inches Diameter _____ inches From _____ feet To _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld
☐ Cemented between strata
Describe access port _____

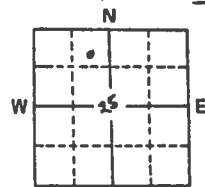
RECEIVED

SEP 04 1990

Department of Water Resources
Southern Region Office

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____

County Cass

NE 1/4 NW 1/4 Sec. 25, T. 10, S. 27, W. 27

10.

Work started 22 Aug 90 finished 23 Aug 90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton Drilling Firm No. 26

Address Wendell Date 24 Aug 1990

Signed by (Firm Official) [Signature]

and

(Operator) R. Peterson

6.

W

County

SE

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 01/14/98
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLG
43-92-S-0033-001	0	WEBB BROS. STAR ROUTE BOX 55 DECLO, ID 83323 (208) 349-5740	10S	27E	25	NE NW		CASSIA	

DAIRY MAIN WELL

Subdivision Well Site Location and Description:

Subdivision Name:
Well Site Address: YALE ROUTE
City, State: DECLO, ID

Lot(s):
Block(s):

Geographic Location:
GPS Site ID:
Lat: : :
Long: : :
Accuracy Code: W

Proposed Use of Well: Non-Domestic
Anticipated Bottom Hole Temperature: 85F or Less

Proposed Casing Diameter: 8 In.

Well Use Comments:

Driller License No: 0026

Firm Name: EATON DRILLING & PUMP SERVICE INC
Official: LARRY M NIELSON

Permit Status: Permit

Verbal Issue Date: 10/13/1992
Date Received: 10/13/1992
Date Approved: 10/13/1992
Proposed Start Date: 10/19/1992
Extension Date:
Extension Expiration:

Receipt No. S015065
Receipt Date 10/13/1992
Fee \$ 200.00

NOT ON FILE
NOT ON FILE
NOT ON FILE
NOT ON FILE

Permit Remarks:

Comments: No Comments Found

WELL DRILLER'S LOG REPORT

Drilling Permit No: 43-92-S-0033-001
Log Status:
Water Right No: 43-04017
Injection Permit No:

Nature of Work: DEEPEN

Construction Method:

Number of Monitor Wells:

Casing Diameter: In.
Depth of Casing: Ft.
Total Depth: Ft.
Screen Installed?

Static Water Level: Ft.
Temperature: F.
Production Rate: GPM

Actual Start Date:
Well Finish Date:
Log Received Date:
Certification Date:
Field Inspection Date:

Inspector:

Well Log Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

A43-10090-10095
43-04016B, -04017

1. DRILLING PERMIT NO: 43-92-S-0033-001 OTHER APPLICABLE NO: _____

2. OWNER: WEBB BROS. DAIRY LLC Phone: 349-5740
Address: 22 N YALE BX 55 DECLD ID. 83323

3. WELL LOCATION: Twp 10S, Rge. 27E, Sec. 25, NE 1/4 NW 1/4
County CASSIA (Provide sketch map and photo on reverse.)

4. DRILLER: EATON WELL DRILLING Lic. No. _____
When Drilled? 1992

5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe 13" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:
Depth to Static Water 63 ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: 60 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:
☐ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: COMMERCIAL DAIRY

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 01/14/98
PAGE: 1

PERMIT NUMBER 43-90-S-0006-000

OWNER NAME & ADDRESS

TWP RGE SEC

TRACT

LOT

COUNTY

ACC

43-90-S-0006-000

WEBB BROS
STAR RT BOX 55
DECLD, ID 83323
(208) 349-5740

10S

27E

25

NE NW

CASSIA

P

1 BACK-UP DOM. WELL

Subdivision Well Site Location and Description:

Lot(s):
Block(s):

Geographic Location:

GPS Site ID:

Lat: : : N

Long: : : W

Accuracy Code:

Well Site Address: VALE RD
City, State:

Proposed Use of Well: Stock
Anticipated Bottom Hole Temperature: 85f or less

Proposed Casing Diameter: 8 in.

Proposed Depth: 300 Ft.

Well Use Comments: PERMIT SHOWS: DAIRY, COMMERCIAL AND STOCK WATER USE
WATER RIGHTS: 43-040168 & 43-04017 LISTED

Driller License No: 0210

Firm Name: WEECH WELL DRILLING INC.
Official: REX A WEECH

Permit Status: Filed

Verbal Issue Date: 07/02/1990
Date Received: 07/02/1990
Date Approved: 07/02/1990
Proposed Start Date:
Extension Date:
Extension Expiration:

Receipt No. S012469

Receipt Date 07/02/1990

Fee \$ 295.00

Specific Conditions:

Permit Remarks: REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT ATTACHED.

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 01/14/98
PAGE: 2

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 43-90-S-0006-000 (cont'd)

Conditions of Approval: This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 OC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1-

Comments: No Comments Found

WELL DRILLER'S LOG REPORT

Drilling Permit No: 43-90-S-0006-000 Water Right No: 43-04016
Log Status: Injection Permit No:

Nature of Work: NEW WELL

Construction Method:

Number of Monitor Wells:

Casing Diameter:
Depth of Casing:
Total Depth:
Screen Installed?

In.
ft.
ft.
ft.

Static Water Level:
Temperature:
Production Rate:

Ft.
F.
GPM

Actual Start Date:
Well Finish Date:
Log Received Date:
Certification Date:
Field Inspection Date:

Inspector:

Violation Flag:

Well Log Remarks:

AUDIT INFORMATION

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

A43-10090-10095
43-04016B, -04017

DRILLING PERMIT NO: 43-90-9-006-000 OTHER APPLICABLE NO: _____

OWNER: WEBB BROS. DAIRY LLC Phone: 349-5740
Address: 22 N YALE BOX 55 DEERLOD ID. 83323

① BACK-UP WELL FOR DAIRY — PRIMARY USE DOM/STOCK
WELL LOCATION: Twp 10S, Rge. 27E, Sec. 25, NW 1/4 NE 1/4
County CASSIA (Provide sketch map and photo on reverse.)

DRILLER: WEECH WELL DRILLING Lic. No. _____
When Drilled? 1990±

WELL CONSTRUCTION:

Casing Diameter 8 inches Water tight cap? ☐ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☒ Yes ☐ No - Describe 5-6 feet o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)

HYDROLOGIC INFORMATION:

Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

WELL USE:

☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: SEE 3.

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

A43-10090-10095
43-04016B, -0401C

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: _____
2. OWNER: WEBB BROS. DAIRY LLC Phone: 349-5740
Address: 22 N YALE BX 55 DECLD, ID. 83323
3. ② BACK UP WELL FOR DAIRY - PRIMARY USE DOM/STOCK
WELL LOCATION: Twp 10S, Rge. 27E, Sec. 24, NE 1/4 SE 1/4
County CASSIA (Provide sketch map and photo on reverse.)
4. DRILLER: _____ Lic. No. _____
When Drilled? ?
5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☐ Yes ☒ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe 4 feet $\pm$ o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☐ Fair ☒ Poor Describe SEE PHOTO
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: SEE 3.

Drilling Permit No. 43-5-006
Water Right Permit No. 3-040168, 4017
Injection Permit No. _____

RECEIVED

JUL - 2 1990

State of Idaho
Department of Water Resources Department of Water Resources
Southern Region Office **DRILLING PERMIT**

Applicant (Please Print) Webb Bros.
Mailing Address STAR RT Box 55 Declo IDAHO 83323
Telephone 349 5740

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

Proposed well location NE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 25, Twp. 10S, Rge. 27E, County Cassia County,
Street Address of Well Site Yale Rd,
Lot, block and subdivision _____

- Proposed use of well:
- ☐ Single family or stockwater use (less than 13,000 gallons per day)
 - ☐ Irrigation (more than 1/2 acre)
 - ☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
 - ☒ Other (describe fully) Dairy - Com. + Stockwater

5. Well construction information:

- A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.
- B. Proposed surface diameter 8" Maximum depth 300'
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)

6. Construction Start Date as soon as possible - within 30 days

7. Anticipated Well Driller Rex Weech
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Webb Bros. Date July 2, 1990
By Allan Webb
Title Owner + Partner
(Owner, Firm Representative, Other)

Drilling permit No. 43-90-5-006

Water right No. 43-040168, 4017 Pending Transfer

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Webb Bros., Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

We have to construct the dairy this summer, and need to have the well drilled first.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date July 2, 1970

Signature Alan L Webb Partner
Applicant

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

December 9, 1997 11:07am

CUSTOMER

Webb, Mark and Todd

SUBJECT: 43-04016,-04017,et.al.

phone call (.) walk-in (x)

They want to conclude the transfer their father started in 1990!! DJ had it in his possession and I inherited it on this day. Issues will be sorted and dealt with, i.e. amend transfer, amend other SRBA claims, including the 2 acres on BLM ground...

12/05/2001

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

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 - Beneficial Use

THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS APPROVAL INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.



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

SOUTHERN REGION

January 25, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WEBB BROS LAND & LIVESTOCK
22 N YALE RD
DECLO ID 83323

RE: SRBA Claim(s) 43-13070, 43-13072

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69296

RECEIVED

DEC 07 2001

Department of Water Resources
Southern Region

This is to certify that: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83323
(208)349-5740

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-13072	AJC/Beneficial Use	05/29/1952	0.15 cfs	65.0 af		N/A	GROUND WATER
43-13070	AJC/Beneficial Use	05/29/1952	0.12 cfs	51.0 af		N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

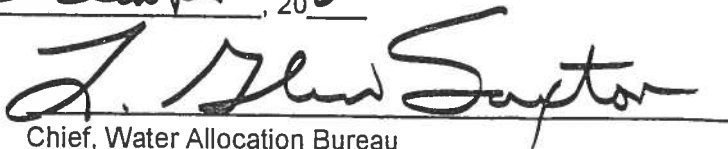
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-13072	NO	YES	YES	YES	NO	NO
43-13070	NO	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13072	43-13072	0.15 cfs	65.0 af	N/A	N/A		N/A	N/A	N/A	N/A
43-13070	43-13070	0.12 cfs	51.0 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		0.27 cfs	116.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of December, 2001


Chief, Water Allocation Bureau

Right Holder: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83323

Source: GROUND WATER

GROUND WATER SWNW Sec. 25 Twp 10S Rge 27E CASSIA County

[illegible][illegible]

WATER RIGHT NO. 43-13070
As Modified by Transfer No. 69296

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under rights 43-13070 and 43-13072 shall not exceed 0.27 cfs, nor total combined annual volume of 116.0 af.
3. 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.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of December, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13072
As Modified by Transfer No. 69296

In accordance with the approval of Transfer No. 69296, Water Right No. 43-13072 is now described as follows.

Right Holder: WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO ID 83323

Priority Date: 05/29/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.15 CFS	65.0 AF
COMMERCIAL	01/01	to 12/31	0.15 CFS	65.0 AF
			0.15 CFS	65.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 25 Twp 10S Rge 27E CASSIA County

GROUND WATER SWNW Sec. 25 Twp 10S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	27E	24											X			X			
10S	27E	25		X				X	X	X	X								

PLACE OF USE: COMMERCIAL

[illegible]

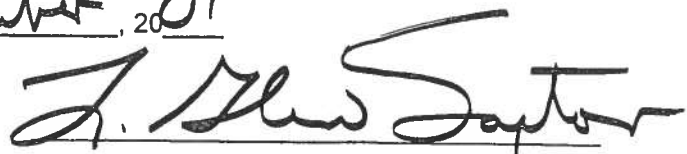
WATER RIGHT NO. 43-13072
As Modified by Transfer No. 69296

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under rights 43-13070 and 43-13072 shall not exceed 0.27 cfs, nor total combined annual volume of 116.0 af.
3. 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.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of December, 2001


Chief, Water Allocation Bureau

07/31/2001

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

RIGHT NUMBER: 43-13072

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

SOURCE: GROUND WATER

VERIFIED BY KAC

QUANTITY: 0.15 CFS
65 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .27 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 116 AF. COMBINED RIGHT NOS.: 43-13070 and 43-13072.

PRIORITY DATE: 05/29/1952

POINT OF DIVERSION:	T10S R27E S24	SWNESE	Within CASSIA County
	T10S R27E S25	NWNWNE	Within CASSIA County
	T10S R27E S25	NENENW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.15 CFS
		28.30 AFY
COMMERCIAL	01-01 12-31	0.15 CFS
		36.70 AFY

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T10S R27E S24	SESW	T10S R27E S25	NWNE
T10S R27E S25	NENW	T10S R27E S25	NWNW
T10S R27E S25	SWNW	T10S R27E S25	SENW
<u>COMMERCIAL Within CASSIA County</u>			
T10S R27E S25	NENW		

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 - Beneficial Use

Transfer No. 2459
43-4016 } T#223
Water Right No. 43-4017 } T#191

RECEIVED
OCT. 24 1932
APPL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Webb Brothers Dairy Phone JUN 1 1920

Post office address Hegler Route, American Falls, Idaho 83211 Department of Water

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 43-4016 & 43-4017 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Acquired by purchase. See earlier transfers #1911 and #2237.
3. Source of water ground water tributary to _____
4. Date of priority 5-29-52
5. Water is used for the following purposes:
amount 6.88* for Irrigation purposes from April 1 to November 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 6.88 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19
Township 10 South Range 28 East, B.M., in Cassia County
Additional points of diversion, if any NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 10 South, Range 27
East, Boise Meridian.
8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated 282

9. Describe any other water rights used for the same purposes as described above

3-4017

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion NO CHANGE

- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion _____

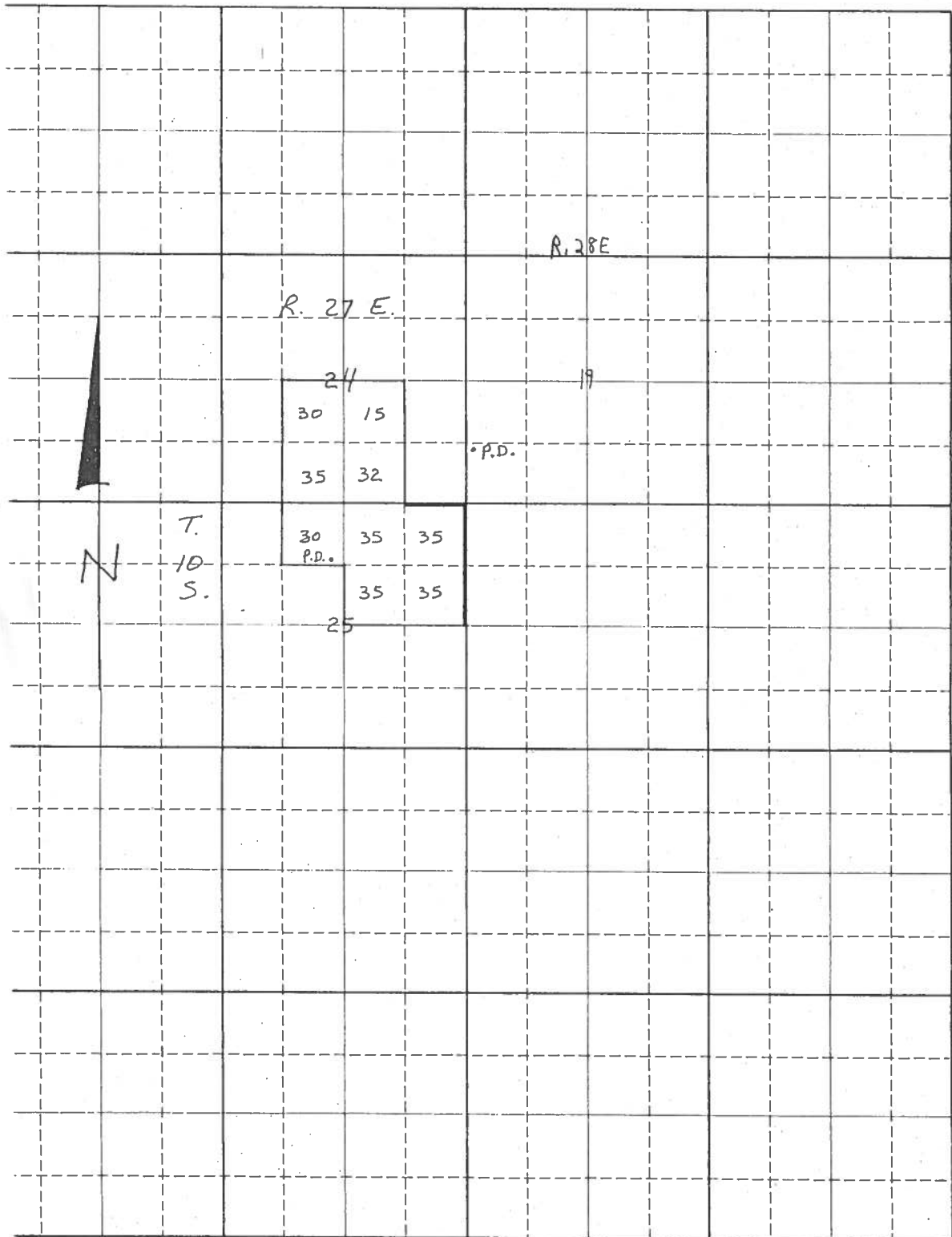
2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	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	
10S	27E	25	35	35	35	35	30												170
		24									30			35		15	32		112

Total number of acres to be irrigated 282

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



LE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks When the last transfer was made, water rights were erroneously transferred
to lands which are not irrigated. This transfer will correct that error.

I hereby assert that no one will be injured by such change and 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.

Calvin J. Zabel
(Signature of applicant)

Subscribed and sworn to before me this 30th day of May, 19 80.

Richard H. Hill
(Notary public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4016/4017
and said application is hereby approved, subject to the following limitations and conditions:
(1) Approval of this transfer in no way validates claims to water rights as identified
in Claims No.'s 43-4016 & 43-4017.

Witness my hand this 6th day of October, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by mayra Date 4/1/80

Protest filed by _____

Prelim. check by GB Fee 25.00

Receipted by mayra Date 4/6/80

Copies of protest forwarded by _____

Published in South side press

Hearing held by _____ Date _____

Pub. dates 4/12 & 4/24/80

Recommended for (approval) denial

Watermaster recommendation requested on _____

by ST J. D. R. T

_____ rec'd. _____

- a. Deed to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 43-4016 & 43-4017 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water ground water tributary to _____
4. Date of priority 5/29/1952
5. Water is used for the following purposes:
amount 6.88 cfs for Irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 6.88 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19
Township 10S Range 28E., B.M., in Cassia County
Additional points of diversion, if any NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 10S, Rge. 27E., B.M.
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	27E	25	33	23	37	38									40	40	40	40	291

Total number of acres to be irrigated 291

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion NO CHANGE
 - a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion _____ 1/4 _____ 1/4, Section _____ Township
Range _____, B.M., _____ County
Additional points _____
 - c. Description of diverting works _____
 - d. Describe the reasons for applying for a change in the point(s) of diversion

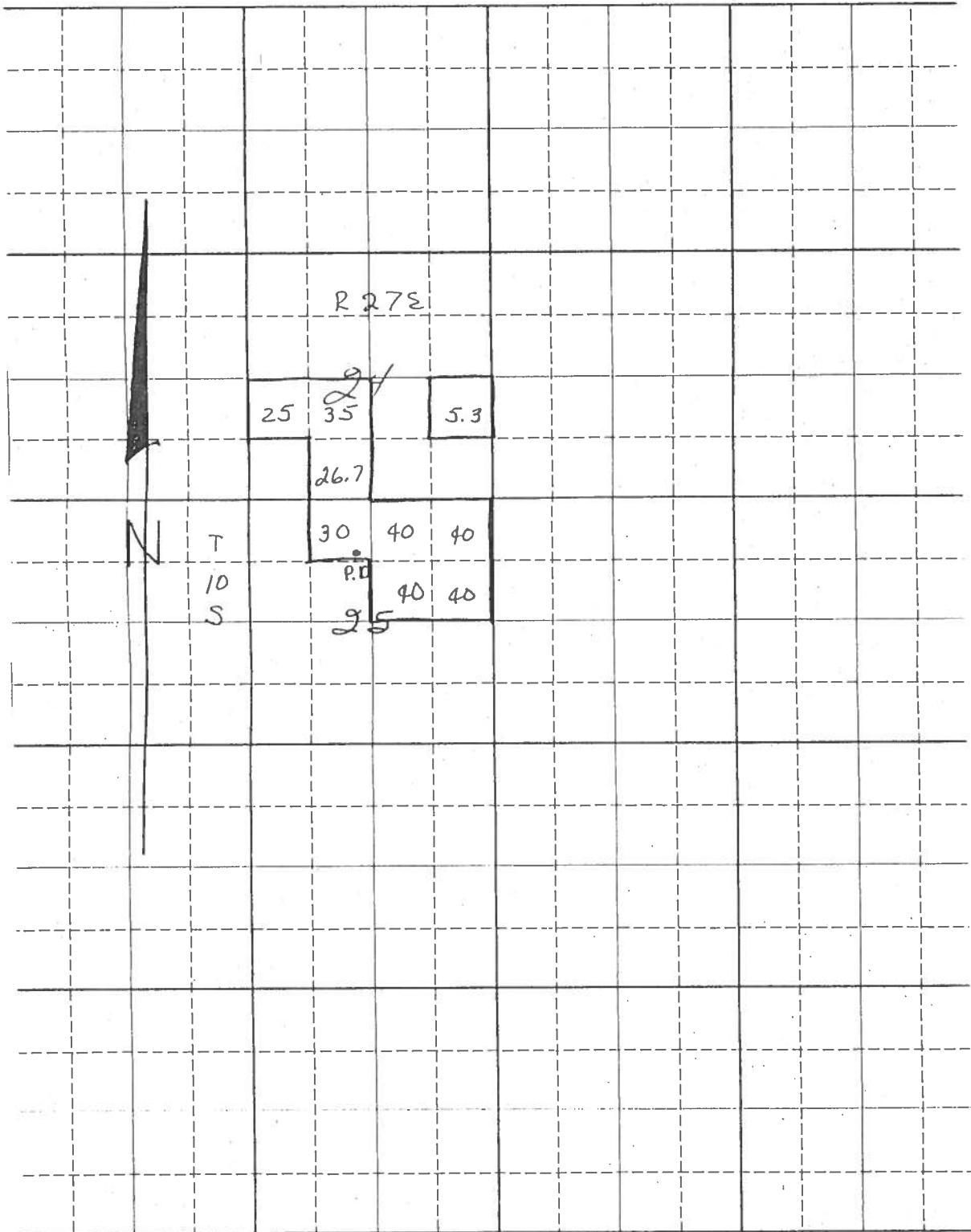
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	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	
10S	27E	25	40	40	40	40	30												190
		24									35	25	26.7	5.3					92

Total number of acres to be irrigated 282

- b. Draw a  indicating the new point(s) of diversion and  the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks The original transfer of the two claims was transferred illegally due
to an error in the Department's procedures at the time the transfer
was made. Proof of ownership which was submitted did not include the
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, or the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 10S, Rge. 27E., B.M. Therefore,
the error will not be carried over in the new transfer.

I hereby assert that no one will be injured by such change and 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.

Calvin L. Webb
(Signature of applicant)

Subscribed and sworn to before me this 13 day of September, 19 78.

Horace J. Bialski
(Notary public)

My commission expires July 1, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4016, & 43-4017
and said application is hereby APPROVED, subject to the following limitations and conditions:
Approval of this transfer in no way validates claims to water rights as identified in
claims No.'s 43-4016 and 43-4017.

Witness my hand this 30th day of November, 19 78.

Norman C. Young

FOR DEPARTMENT USE ONLY

Received by BS Date 8-13-78 (Amended) Protest filed by _____
Prelim. check by _____ Fee \$ 30. #7581
Receipted by SM Date 3/22/78
Published in South Idaho Press Copies of protest forwarded by _____
Pub. dates 10/3 & 11/10/78 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial _____
_____ rec'd. _____ by J.S.

app. will be 195-
 BE SURE TO SEE THAT THE
 MENT AND YOU FORMAL INSTRUC
 Sincerely,
 REID J. NEWBY
 Supervisor, of Water Distribution
 rjn:pmj
 Enclosure: Certificate

Transfer No. 1911
 Application No. (1) 43-4017
 (2) 43-4016

FEB 25 1976 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources
 Southern District Office
APPLICATION FOR TRANSFER OF WATER RIGHT **RECEIVED**
 To Change the Point of Diversion and or the Place of Use

FEB 18 1976

Name of applicant WEBB BROTHERS DAIRY Phone 894-2585
 Post office address Hegler Route, American Falls, Idaho 83211
 Southern District Office

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree to _____ (Name)
 in case of _____ VS _____
 dated _____ in _____ county of _____
 (Name of court)
 - b. License No. _____ issued by the Idaho Department of Water Resources
 - c. Claim No. (1) 43-4017
(2) 43-4016 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
By purchase.

3. Source of water Groundwater tributary to _____
4. Date of priority (1) 5/29/1952; (2) 5/29/1952
5. Water is used for the following purposes:
 - (1) amount 3.10 cfs for Irrigation purposes from April 1 to November 1
 - (2) amount 4.0 cfs for Irrigation purposes from April 1 to November 1
 amount _____ for _____ purposes from _____ to _____
 (month/day - both dates inclusive)
6. Total amount of water under right: a. 7.10 cubic feet per second
 b. _____ R/for _____
7. Location of original point of diversion: (1) NE 1/4 of Section 25
C. 1/2 Township 10S Range 27E, B.M. in Cassia County
 Additional points of diversion, if any (2) SW 1/4 SW 1/4, Sec. 19, Twp. 10S, Rge. 28E, B.M.

8. Lands irrigated or place of use: 43-4017

TWP.	RANGE	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	
(1)																			
10S	27E	24			36						36		26.7		10				107.7
10S	27E	25					13			X									13.0 ~~26.0~~
(2)																			
10S	28E	19							10										10.0
10S	27E	24				40					25	7		30		36	3		141.0
10S	27E	25					17.6	2											19.6

Total number of acres to be irrigated 301.3
291.3

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 7.1 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion NE 1/4 28E 1/4 NW 1/4 25 Section 25 Township 10S
Range 27E, B.M., Cassia County
Additional points SW 1/4 SW 1/4, Sec. 19, Twp. 10S, Rge. 28E, B.M.
 - c. Description of diverting works Deep wells, pumps and sprinklers
 - d. Describe the reasons for applying for a change in the point(s) of diversion
Pump water into a common system for more flexibility.

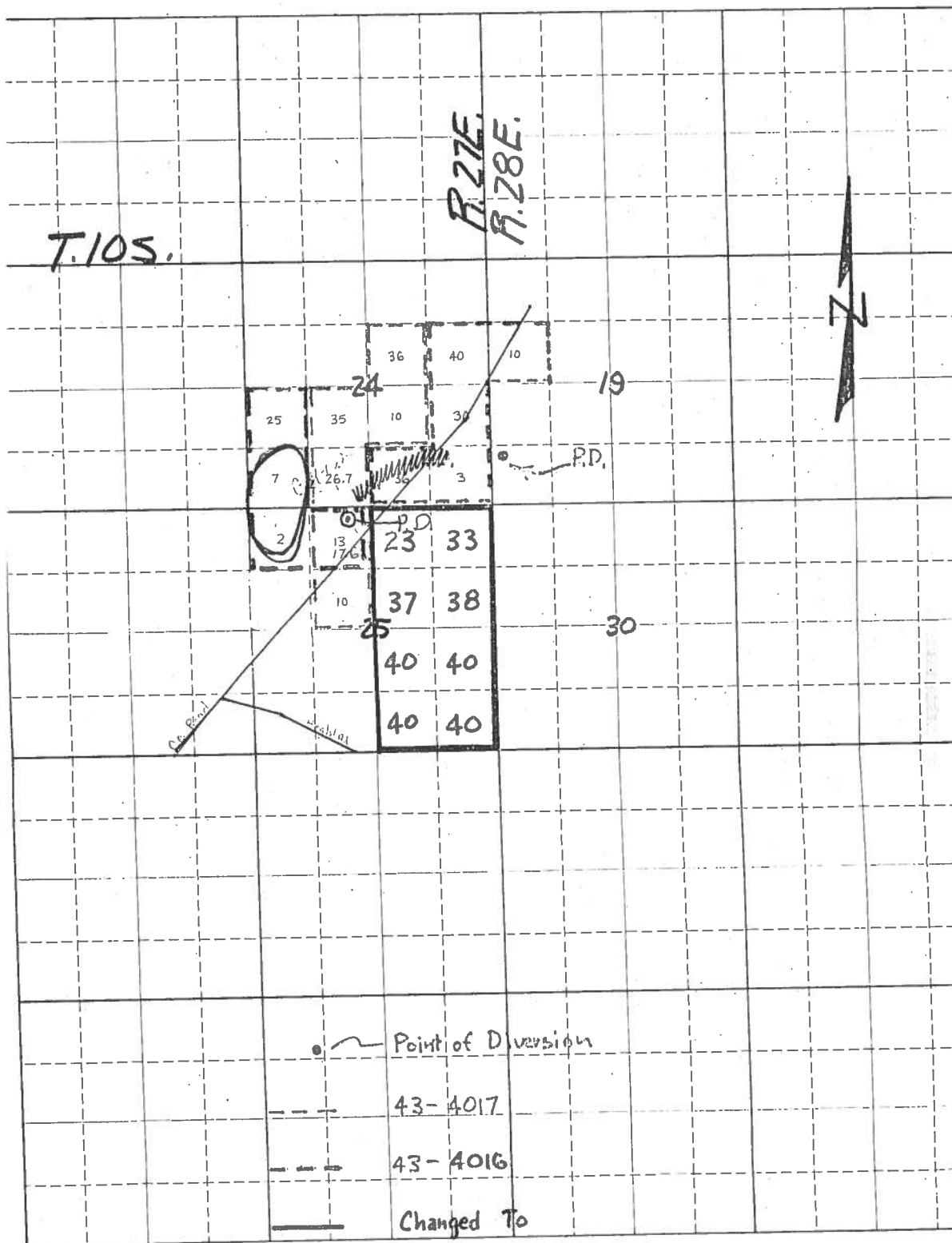
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	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	
10S	27E	25	33	23	37	38									40	40	40	40	291

Total number of acres to be irrigated 291
291

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Walter B. Matthews & Son
Partnership, Columbia, S.C.
(Signature of applicant)

Subscribed and sworn to before me this 15 day of January, 1976

[Signature]
(Notary public)

My commission expires 2-22-77

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

43-4016

This is to certify that I have examined Application for Transfer of Water Rights No. 1911/ 43-4017,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

Subject to the condition that this approval does not validate the water right as
claimed under Claim to a Water Right No. 43-4016 & 43-4017.

Witness my hand this 20 day of February, 19 76

[Signature]
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by MB Date 11-14-75

Prelim. check by LB B. Fee 30.00

Received by CC Date 11/14/75

Published in So. Eda. Press

Pub. dates 12-9 & 12-16-75

Watermaster recommendation requested on _____
rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial
by Michael J. Steele