

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 43-13233
Date Received: 7/12/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS ID USA 83211

Phone: (208)349-5532

2. Date of Priority: 07/02/1968

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
09S	27E	35	SE	SW	SW	CASSIA	
10S	27E	2	NW	NW	NE	CASSIA	
10S	27E	2	NW	NW	SW	CASSIA	
10S	27E	11	NW	NE	NW	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/15	6.31	1262

7. Total Quantity Appropriated is:
6.31 C.F.S. and/or 1262 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
09S	27E	34	SE	SE	IRRIGATION	34.8

						Section Acres	34.8
09S	27E	35	NW	SW		IRRIGATION	5.1
			SW	SW		IRRIGATION	40.1
			SE	SW		IRRIGATION	18.2
						Section Acres	63.4
10S	27E	2	NE	NE	1	IRRIGATION	30.4
			NW	NE	2	IRRIGATION	28.3
			SW	NE		IRRIGATION	30.3
			SE	NE		IRRIGATION	25.3
			NE	NW	3	IRRIGATION	37.9
			NW	NW	4	IRRIGATION	40.3
			SW	NW		IRRIGATION	33.2
			SE	NW		IRRIGATION	39.3
			NE	SW		IRRIGATION	32.9
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	40.3
			SE	SW		IRRIGATION	37.3
			NE	SE		IRRIGATION	36.8
			NW	SE		IRRIGATION	40.1
			SW	SE		IRRIGATION	37.9
			SE	SE		IRRIGATION	40.4
						Section Acres	569.7
10S	27E	3	NE	NE	1	IRRIGATION	33.9
			SE	NE		IRRIGATION	8.6
			NE	SE		IRRIGATION	7.2
			SE	SE		IRRIGATION	13.4
						Section Acres	63.1
10S	27E	10	NE	NE		IRRIGATION	29.7
			SE	NE		IRRIGATION	9.6
						Section Acres	39.3
10S	27E	11	NE	NE		IRRIGATION	26.6
			NW	NE		IRRIGATION	40.3
			SW	NE		IRRIGATION	40.3
			NE	NW		IRRIGATION	38.8
			NW	NW		IRRIGATION	40.3
			SW	NW		IRRIGATION	39
			SE	NW		IRRIGATION	40.3
						Section Acres	265.6
						Total Acres	1035.9

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:

This right was split from 43-7005, per ownership change of part of the right to BLM.

15. Basis of Claim: License

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: A43-07005
Date Received: 5/23/1989
Receipt No: S007267
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEBB BASIN DAIRY 208-349-5545
Address: HC 76 BOX 1050
AMERICAN FALLS, ID 83211

2. Date of Priority: JUL 02, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	27E	35	NW	SE	SW		CASSIA
			SW	SE	SW		CASSIA
10S	27E	2	NW	NW	NE		CASSIA
			NW	NW	SW		CASSIA
		11	NW	NE	NW		CASSIA

5. Description of diverting works:
4 WELLS AND PUMPS, 1 WELL AND PUMP FOR STOCKWATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/15	6.400		1280.00
STOCKWATER	01/01	12/31	0.010		2.70

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) 1280.00 A.F.A.

8. Total consumptive use is 3378.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 CATTLE

A43-07005

Page 1

Date: 05/23/89

COPY

MICROFILMED
MAR 04 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	27E	34	SE	SE		IRR	40.0
			Section Acres				40.0
		35	NW	SW		IRR	25.0
			SW	SW		IRR	40.0
			SE	SW		STOCK	
			SE	SW		IRR	40.0
			Section Acres				105.0
10S	27E	2	NW	NE		STOCK	
			NW	NE	2	IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	5.0
			NE	NW	3	IRR	40.0
			NW	NW	4	IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				555.0
		3	NE	NE	1	IRR	40.0
			SE	NE		IRR	10.0
			NE	SE		IRR	3.0
			SE	SE		IRR	28.0
			Section Acres				81.0
		10	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			Section Acres				80.0
		11	NE	NE		IRR	25.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	27E	11	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	265.0
						Total Acres	1126.0

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:
A43-02336, A43-02352, A43-07016

14. Remarks:
P/D COMBINED W/OTHER RTS. TO FORM ONE COMMON SYSTEM BY TRANS.
TRANS. #1915.
TRANS. #3381 APPROVED MAY 24, 1989 COMBINED P/U OF ALL WATER
RIGHTS. ALL RIGHTS COMBINED CANNOT EXCEED 15.23 CFS.
MICHAEL WEBB PHONE #349-5529.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Partner of Webb Basin Dairy, that I have signed the foregoing document in the space below as Partner of Webb Basin Dairy and that the statements contained in the foregoing document are true and correct.

Michael A. Webb
Signature of Authorized Agent
Partner Webb Basin Dairy
Title and Organization
5/23/89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of May 19 89
Seal

Steve Callahan
Notary Public

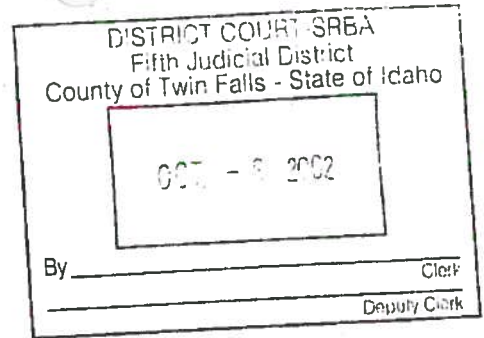
Residing at Twin Falls
My Commission Expires Dec 7, 1994

SEE 43-02336

TRANSFER NUMBER
1915

43-07005

MICROFILMED
MAR 04 1993



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	)		)
	)	ORDER OF PARTIAL DECREE	)
Case No. 39576	)		)
	)	For Water Right 43-13233 and 43-13234	)
_____	)		)

On August 22, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-13233 and 43-13234 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED October 8, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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

DISTRICT COURT-SRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

OCT - 8 2002

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-13233

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 6.31 CFS
1262.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13229,
43-13231, 43-13233, & 43-13235.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION: T09S R27E S35 SESWSW Within Cassia County
T10S R27E S02 LOT 2 (NWNWNE)
NWNWSW
S11 NWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		05-01 TO 10-15	6.31 CFS 1262.00 AFY

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

PLACE OF USE:	Irrigation	Within Cassia County
T09S R27E S34	SESE 34.8	
S35	NWSW 5.1	SWSW 40.1
	SESW 18.2	
T10S R27E S02 LOT 1	(NENE) 30.4	LOT 2 (NWNE) 28.3
	SWNE 30.3	SENE 25.3
LOT 3	(NENW) 37.9	LOT 4 (NWNW) 40.3
	SWNW 33.2	SENE 39.3
	NESW 32.9	NWSW 39.0
	SWSW 40.3	SESW 37.3
	NESE 36.8	NWSE 40.1
	SWSE 37.9	SESE 40.4
S03 LOT 1	(NENE) 33.9	SENE 8.6
	NESE 7.2	SESE 13.4
S10	NENE 29.7	SENE 9.6
S11	NENE 26.6	NWNE 40.3
	SWNE 40.3	NENW 38.8
	NWNW 40.3	SWNW 39.0
	SENE 40.3	
	1035.9 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1035.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, &

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

43-13235.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 OCT 08 PM 02:00
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING
Water Right(s): 43-13233

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-13233 was mailed
on October 08, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/08/02

RECEIVED

AUG 23 2002

Department of Water Resources

AUG 22 PM 3:28

DISTRICT COURT-SRBA
ANNEA, IDAHO

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

) Subcases 43-07005, 43-13233
) (Webb Basin Dairy) and
) 43-13234 (USDI/BLM)
)
) SPECIAL MASTER REPORT
) AND RECOMMENDATION

Findings of Fact

Webb Basin Dairy, HC 76, Box 1050, American Falls, Idaho 83211, filed a *Notice of Claim to a Water Right* under 43-07005 on May 23, 1989, claiming 6.4 cfs from groundwater for year-'round stockwater use and to irrigate 1,126 acres in Cassia County from May 1 to October 15 with a priority date of July 2, 1968, based on a license. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I* on September 28, 2001. The Director recommended the claim as filed, but for irrigation of 1,051.2 acres.

The United States of America, Department of Interior, Bureau of Land Management, Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho 83709-1657, filed an *Objection* on February 8, 2002, objecting to place of use. On August 14, 2002, Webb Basin Dairy, the United States and IDWR filed *Standard Forms 5* agreeing to split 43-07005 into 43-13233 (Webb Basin Dairy) and 43-13234 (USDI/BLM).

Conclusions of Law

Webb Basin Dairy and the USDI/BLM are entitled to partial decrees adjudicating water rights under claims 43-13233 (Webb Basin Dairy) and 43-13234 (USDI/BLM) as described in the *Standard Forms 5* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 43-13233 and 43-13234*.

Recommendation

THEREFORE, IT IS RECOMMENDED that claim 43-07005 not be adjudicated as a water right, the claim having been split into 43-13233 and 43-13234.

DATED August 22, 2002.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 43-13233

2002 AUG 22 PM 3:28
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *ml*

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 6.31 CFS
1262.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13229,
43-13231, 43-13233, & 43-13235.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION: T09S R27E S35 SESWS Within Cassia County
T10S R27E S02 LOT 2 (NWNWNE)
S11 NWNWSW
NWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	6.31 CFS 1262.00 AFY

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

PLACE OF USE:	Irrigation	Within Cassia County
	T09S R27E S34 SESE 34.8	
	S35 NWSW 5.1	SWSW 40.1
	SESW 18.2	
	T10S R27E S02 LOT 1 (NENE) 30.4	LOT 2 (NWNW) 28.3
	SWNE 30.3	SENE 25.3
	LOT 3 (NENW) 37.9	LOT 4 (NWNW) 40.3
	SWNW 33.2	SENE 39.3
	NESW 32.9	NWSW 39.0
	SWSW 40.3	SESW 37.3
	NESE 36.8	NWSE 40.1
	SWSE 37.9	SESE 40.4
	S03 LOT 1 (NENE) 33.9	SENE 8.6
	NESE 7.2	SESE 13.4
	S10 NENE 29.7	SENE 9.6
	S11 NENE 26.6	NWNE 40.3
	SWNE 40.3	NENW 38.8
	NWNW 40.3	SWNW 39.0
	SENE 40.3	
	1035.9 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1035.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, &

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

43-13235.

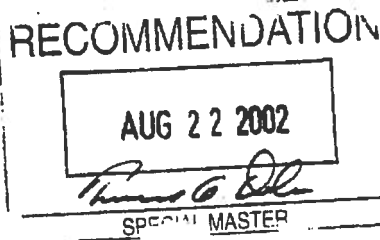
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-13234

AUG 22 PM 3:28
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE, ID 83709-1657

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS
18.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .21 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 59.2 AF. COMBINED RIGHT NOS.: 43-13230,
43-13232, 43-13234, & 43-13236.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION: T09S R27E S35 SESWSW Within Cassia County
T10S R27E S02 LOT 2 (NWNWNE)
NWNWSW
S11 NWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	0.09 CFS 18.00 AFY

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

PLACE OF USE: Irrigation Within Cassia County
T09S R27E S35 NESW 0.5
T10S R27E S11 SENE 14.3
14.8 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 14.8 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-13230, 43-13232, 43-13234, &
43-13236.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

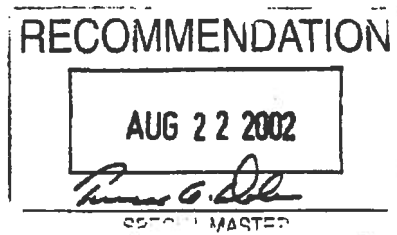
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

AUG 23 2002

Department of Water Resources

AUG 22 PM 3:28

DISTRICT COURT-SRBA
TWIN FALLS, 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

Case No. 39576

)
)
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)
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 43-07005

On August 22, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 22, 2002.


LETTIE MESSICK
Deputy Clerk

NOTICE OF ISSUANCE

PAGE 1
08/22/02

RECEIVED

AUG 23 2002

Department of Water Resources

2002 AUG 22 PM 3:28
DISTRICT COURT-SRBA
TWIN FALLS, 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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 43-07005

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 22, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211
Phone: 208-349-5545

CERTIFICATE OF MAILING


LETTIE MESSICK
Deputy Clerk

PAGE 1
08/22/02

RECEIVED

AUG 23 2002

Department of Water Resources

AUG 22 PM 3:28

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO

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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 43-13233
43-13234

On August 22, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 22, 2002.


LETTIE MESSICK
Deputy Clerk

NOTICE OF ISSUANCE

PAGE 1
08/22/02

RECEIVED

AUG 23 2002

Department of Water Resources

2002 AUG 22 PM 3:28

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *OM*

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-13233
43-13234

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 22, 2002, with sufficient first-class postage prepaid to the following:

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WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

Lettie Messick

LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/22/02

07/15/2002

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

RIGHT NUMBER: 43-13233

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.31 CFS
1,262.0 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION:

T09S R27E S35 SESWSW Within CASSIA County
T10S R27E S2 NWNWNE Lot 2 Within CASSIA County
T10S R27E S2 NWNWSW Within CASSIA County
T10S R27E S11 NWNENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/15	6.310 CFS 1,262.00 AFY

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

PLACE OF USE: IRRIGATION Within CASSIA County

T09S R27E S34	SESE	34.8	T09S R27E S35	NWSW	5.1
T09S R27E S35	SWSW	40.1	T09S R27E S35	SESW	18.2
T10S R27E S02 Lot 1	NENE	30.4	T10S R27E S02 Lot 2	NWNE	28.3
T10S R27E S02	SWNE	30.3	T10S R27E S02	SENE	25.3
T10S R27E S02 Lot 3	NENW	37.9	T10S R27E S02 Lot 4	NWNW	40.3
T10S R27E S02	SWNW	33.2	T10S R27E S02	SENW	39.3
T10S R27E S02	NESW	32.9	T10S R27E S02	NWSW	39.0
T10S R27E S02	SWSW	40.3	T10S R27E S02	SESW	37.3
T10S R27E S02	NESE	36.8	T10S R27E S02	NWSE	40.1
T10S R27E S02	SWSE	37.9	T10S R27E S02	SESE	40.4
T10S R27E S03 Lot 1	NENE	33.9	T10S R27E S03	SENE	8.6
T10S R27E S03	NESE	7.2	T10S R27E S03	SESE	13.4
T10S R27E S10	NENE	29.7	T10S R27E S10	SENE	9.6
T10S R27E S11	NENE	26.6	T10S R27E S11	NWNE	40.3
T10S R27E S11	SWNE	40.3	T10S R27E S11	NENW	38.8
T10S R27E S11	NWNW	40.3	T10S R27E S11	SWNW	39.0
T10S R27E S11	SENW	40.3			

1035.9 ACRES TOTAL

07/15/2002

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1035.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

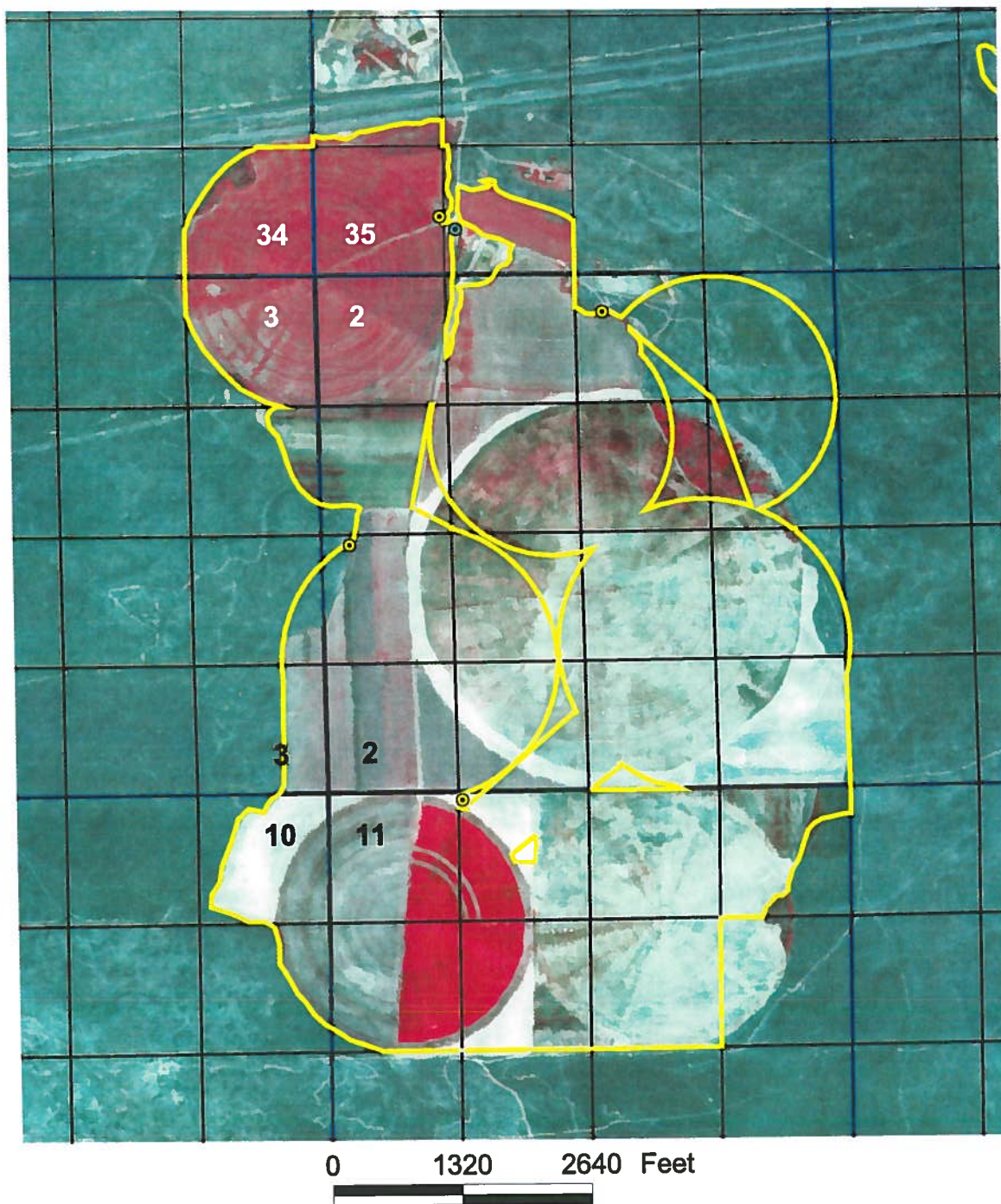
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-7005.

Idaho Department of Water Resources

43-13229, 43-13231, 43-13233, & 43-13235



RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 15, 2002
TWP 09S, RNG 27E, SEC. 34 & 35
TWP 10S, RNG 27E, SEC. 2, 3, 10 & 11



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

VERIFIED BY *R 4/1/00*

11/01/2000

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

RIGHT NUMBER: 43-7005

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 1262 18 6.4 CFS
1280 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4204.8 AF. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION: T09S R27E S35 SESWSW Within CASSIA County
T10S R27E S2 NWNWNE Within CASSIA County
T10S R27E S2 NWNWSW Within CASSIA County
T10S R27E S11 NWNENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-15	6.40 CFS 1,280.0 AFY

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

PLACE OF USE:

IRRIGATION Within CASSIA County			
~~T09S R27E S34~~	~~NESE~~	~~0.5~~	T09S R27E S34 SESE 34.8
T09S R27E S35	NESW	0.5	T09S R27E S35 NWSW 5.1
T09S R27E S35	SWSW	40.1	T09S R27E S35 SESW 18.2
T10S R27E S10	NENE	29.7	T10S R27E S10 SENE 9.6
T10S R27E S11	NENE	26.6	T10S R27E S11 NWNE 40.3
T10S R27E S11	SWNE	40.3	T10S R27E S11 <u>SENE</u> 14.3
T10S R27E S11	NENW	38.8	T10S R27E S11 NWNW 40.3
T10S R27E S11	SWNW	39	T10S R27E S11 SENW 40.3
T10S R27E S2 LOT 1	NENE	30.4	T10S R27E S2 LOT 2 NWNE 28.3
T10S R27E S2	SWNE	30.3	T10S R27E S2 SENE 25.3
T10S R27E S2 LOT 3	NENW	37.9	T10S R27E S2 LOT 4 NWNW 40.3
T10S R27E S2	SWNW	33.2	T10S R27E S2 SENW 39.3
T10S R27E S2	NESW	32.9	T10S R27E S2 NWSW 39
T10S R27E S2	SWSW	40.3	T10S R27E S2 SESW 37.3
T10S R27E S2	NESE	36.8	T10S R27E S2 NWSE 40.1
T10S R27E S2	SWSE	37.9	T10S R27E S2 SESE 40.4
T10S R27E S3 LOT 1	NENE	33.9	T10S R27E S3 SENE 8.6
T10S R27E S3	NESE	7.2	T10S R27E S3 SESE 13.4

Water Right 43-7005

1051.2 ACRES TOTAL

1050.7

1035.9 Webb
14.8 BLM

1035.9
14.8

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1051.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

315.5 / 4.5

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

part of 7005

Adjudication Recommendation Report 43-13233 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBB BASIN DAIRY HC 76 BOX 1050 AMERICAN FALLS, ID 83211 (208)349-5532

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	6.310 CFS	1,262.00 AF
	<u>Total Diversion:</u>	6.310 CFS	1,262.00 AF

GROUND WATER CASSIA County	SE1/4SW1/4SW1/4	Sec. 35,	Twp 09S,	Rge 27E, B.M.
GROUND WATER CASSIA County	L2 NW1/4NW1/4NE1/4	Sec. 2,	Twp 10S,	Rge 27E, B.M.
GROUND WATER CASSIA County	NW1/4NW1/4SW1/4	Sec. 2,	Twp 10S,	Rge 27E, B.M.
GROUND WATER CASSIA County	NW1/4NE1/4NW1/4	Sec. 11,	Twp 10S,	Rge 27E, B.M.

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13233 V2

10S 27E 11	26.6	40.3	40.3	38.8	40.3	39.0	40.3			265.6
------------	------	------	------	------	------	------	------	--	--	-------

Total Acres: 1035.9

Conditions of Approval:

1. C18 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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1035.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.
2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4145.6 AF. COMBINED RIGHT NOS.: 43-13229, 43-13231, 43-13233, & 43-13235.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-7005.
5. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. jroberts 7/15/2002 Basis of Recommendation
Comment: 43-7005 was split into 43-13233 (Webb Basin) and 43-13234 (BLM) for SF5.

Robertson, Jean

From: Robertson, Jean
Sent: Monday, July 15, 2002 4:49 PM
To: Kelly, Vicki
Cc: McHugh, Candice
Subject: New Recommendations for Webb Basin and BLM splits of 43-2336, -2352, -7005, & -7016

Webb = 43-13229, -13231, -13233, & -13235

BLM = 43-13230, -13232, -13234, & -13236

I have also included new layouts for each. Let me know if there are any problems...



43-13229 Webb 43-13229, 31, 33, 43-13230 BLM New 43-13230, 32, 34, 43-13231 Webb 43-13232 BLM New 43-13233 Webb
Basin New Recomm.. & 35 Webb Ba... Recommendatio... & 36 BLM Lay... Basin New Recomm.. Recommendatio... Basin New Recomm..



43-13234 BLM New 43-13235 Webb 43-13236 BLM New
Recommendatio... Basin New Recomm.. Recommendatio...

Robertson, Jean

From: McHugh, Candice
Sent: Wednesday, July 10, 2002 3:06 PM
To: Robertson, Jean
Subject: FW: 43-02352, 43-02336, 43-07005, and 43-07016

Does Larry's email make sense to you? Is this something we can do absent a transfer right now?

-----Original Message-----

From: Brown, Larry [mailto:Larry.Brown@usdoj.gov]
Sent: Tuesday, July 09, 2002 12:43 PM
To: 'cmchugh@idwr.state.id.us'; 'Fred_Price@blm.gov'
Cc: 'Gary_Madenford@blm.gov'; 'Steve_Davis@blm.gov'
Subject: 43-02352, 43-02336, 43-07005, and 43-07016

Called this afternoon and spoke with Gordon Webb, one of the partners in Webb Basin Dairy. Told him that three POU's on the four water described public land. Two authorized, one not authorized. Said BLM and Webb Basin Dairy had a contract requiring POU's on BLM to be in BLM name. We discussed the unauthorized POU. Looks like overspray from pivot on BLM land just south of I-80. Said he could delete from his water right or see if IDWR would agree to put the .5 acres somewhere else on his own private land. He wanted to visit with BLM to see the shape file and maps, but agreed that we should put BLM POU's in BLM name for authorized POU's. Said he was going to see Steve Davis in Burley to go over the objection files. I said I would be available by telephone for consultation.

Candice: Please do SF-fs splitting the water rights so that the following POU's are on water rights where the BLM is the owner:

T09S, R27E, S35, NESW - 0.5 acres
T10S, R27E, S11, SENE - 14.3 acres

Either delete T09S, R27E, S34, NESE - 0.5 acres, or see if it can be moved to other acres already described on the water rights. I am pretty sure this 0.5 acres is overspray from a pivot irrigation system.

Fred: Need you to assign someone to do a stipulation wherein BLM agrees to cooperate in transfer to private land, etc, should land use permit expire, be terminated, and not renewed. E-mail the stipulation to me for my review before mailing to claimant with the SF-5s

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

A. Subcase 43-07005

(Insert water right number)

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 Basin Dairy
Address: HC 76 Box 1050; American Falls, Idaho 83211
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)

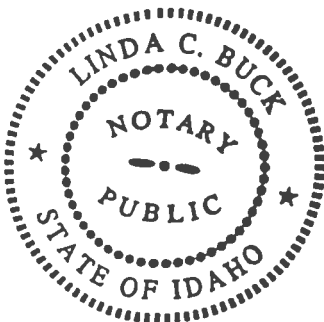
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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
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 Basin Dairy
Address: HC 76 Box 1050; American Falls, Idaho 83211
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

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

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

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



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: 43-7005
NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS ID 83211

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

SOURCE: GROUND WATER

TRIBUTARY: T09S R27E S34 NESE

QUANTITY: 6.400 CFS
1,280.00 AFY

**- CLAIMANT IS AUTHORIZED TO FARM
BUT AGREEMENT SPLITS BLM POU'S
TO BLM.**

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 15.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
4204.8 AF. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016.

PRIORITY DATE: 07/02/1968

- SPLIT THE RIGHT INTO TWO CLAIMS.

POINT OF
DIVERSION:

**- CLAIMANT HOLD TITLE TO PUT POU'S.
- BLM HOLD TITLE TO BLM POU'S.**

T09S R27E S35 SESWSW Within CASSIA County
T10S R27E S2 NWNWNE Within CASSIA County
T10S R27E S2 NWNWSW Within CASSIA County
T10S R27E S11 NWNENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER		
IRRIGATION	05/01 10/15	6.400 CFS 1,280.00 AFY

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

PLACE OF USE: IRRIGATION Within CASSIA County

UNAUTHORIZED
AUTHORIZED

T09S R27E S34 BLM	NESE	0.5	T09S R27E S34	SESE	34.8
T09S R27E S35 BLM	NESW	0.5	T09S R27E S35	NWSW	5.1
T09S R27E S35	SWSW	40.1	T09S R27E S35	SESW	18.2
T10S R27E S10	NENE	29.7	T10S R27E S10	SENE	9.6
T10S R27E S11	NENE	26.6	T10S R27E S11	NWNE	40.3
T10S R27E S11	SWNE	40.3	T10S R27E S11 BLM	SENE	14.3
T10S R27E S11	NENW	38.8	T10S R27E S11	NWNW	40.3
T10S R27E S11	SWNW	39.0	T10S R27E S11	SENE	40.3
T10S R27E S02 Lot 1	NENE	30.4	T10S R27E S02 Lot 2	NWNE	28.3
T10S R27E S02	SWNE	30.3	T10S R27E S02	SENE	25.3
T10S R27E S02 Lot 3	NENW	37.9	T10S R27E S02 Lot 4	NWNW	40.3
T10S R27E S02	SWNW	33.2	T10S R27E S02	SENE	39.3
T10S R27E S02	NESW	32.9	T10S R27E S02	NWSW	39.0
T10S R27E S02	SWSW	40.3	T10S R27E S02	SESW	37.3
T10S R27E S02	NESE	36.8	T10S R27E S02	NWSE	40.1
T10S R27E S02	SWSE	37.9	T10S R27E S02	SESE	40.4
T10S R27E S03 Lot 1	NENE	33.9	T10S R27E S03	SENE	8.6
T10S R27E S03	NESE	7.2	T10S R27E S03	SESE	13.4

AUTHORIZED

STOCKWATER same as IRRIGATION

09/19/2001

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

1051.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1051.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

BURLEY FIELD OF
BURLEY, IDAHO

SEP 5 11 53 AM

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-02352	A43-02352	✓			
43-02336	A43-02336	✓			
43-07005	A43-07005	✓			
43-07016	A43-07016	✓			

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

A. The appropriate FILING FEE. See instructions for fee amounts.

B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

Webb Basin Dairy

4. New Owner/Claimant(s)

HC 76 Box 1050, American Falls, ID 83211

United States Bureau of Land Management

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

15 E. 200 S.

City, State and ZIP Code

Burley, ID 83318

New Telephone Number

208.678-5514

5. Date you acquired the property

not applicable; Public Land

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>43-02352; A43-02352</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.07 CFS; 14.0 AFA</u>	<u>3.5 acres within;</u>
Stock		<u>T95 R27E Sec. 34 NESE</u>
Domestic		<u>35 NESW</u>
Other		<u>T105 R27E Sec. 11 SENE</u>
Total	<u>0.07 CFS; 14.0 AFA</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>43-02336; A43-02336</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.06 CFS; 13.2 AFA</u>	<u>3.3 acres within;</u>
Stock		<u>T95 R27E Sec. 34 NESE</u>
Domestic		<u>35 NESW</u>
Other		<u>T105 R27E Sec. 11 SENE</u>
Total	<u>0.06 CFS; 13.2 AFA</u>	

7. Signature of New Owner(s) or Claimant(s) United States Bureau of Land Management
(include title if applicable) Steven R. Davis, Hydrologist

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

6. If the change in ownership affects the entire water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>43-07005; A43-07005</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.09 CFS; 18.8 AFA</u>	<u>4.7 acres within:</u>
~~Stock~~		<u>T9S R27E Sec. 34 NESE</u>
~~Domestic~~		<u>35 NESW</u>
~~Other~~		<u>T10S R27E Sec. 11 SENE</u>
Total	<u>0.09 CFS; 18.8 AFA</u>	

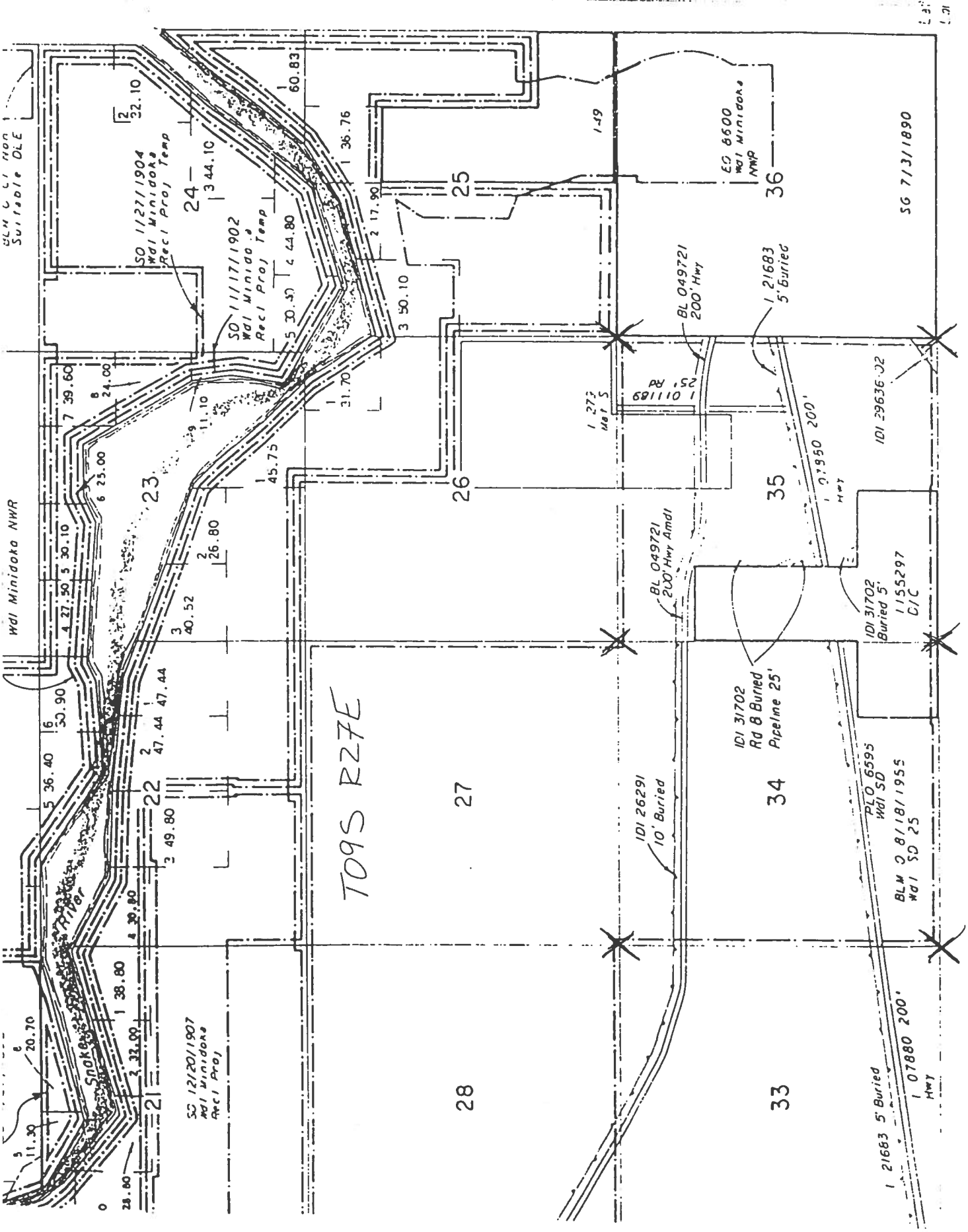
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>43-07016; A43-07016</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.04 CFS; 16.9 AFA</u>	<u>5.0 acres within:</u>
~~Stock~~		<u>T9S R27E Sec. 34 NESE</u>
~~Domestic~~		<u>35 NESW</u>
~~Other~~		<u>T10S R27E Sec. 11 SENE</u>
Total	<u>0.04 CFS; 16.9 AFA</u>	

7. Signature of New Owner(s) or Claimant(s) United States Bureau of Land Management
(include title if applicable) Steven R Davis, Hydrologist

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



THE NOTATION SHOWN ON THIS ACTION TAKEN BUT MAY NOT

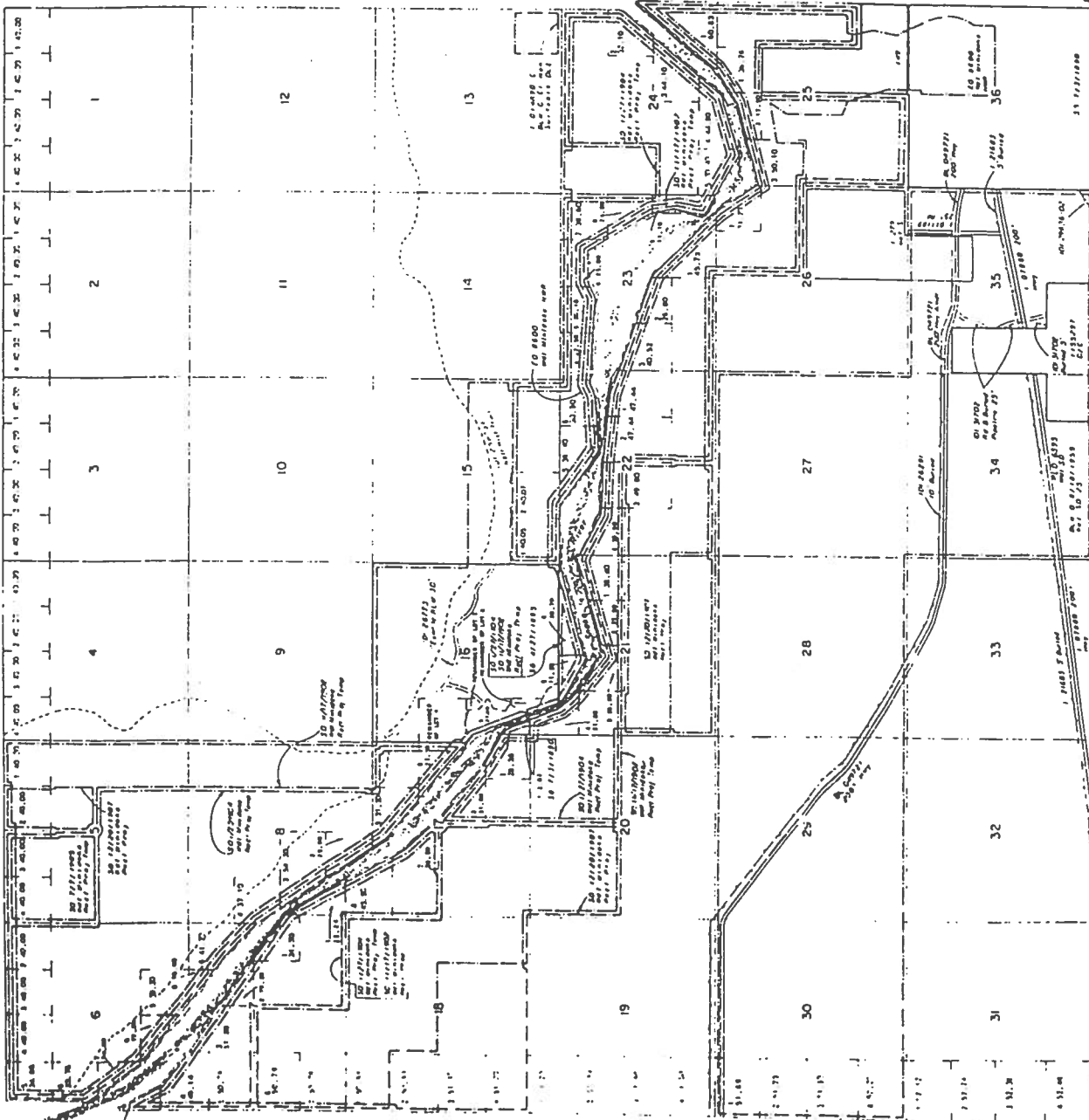
SCALE in Chains

TOWNSHIP 9 SOUTH RANGE 27 EAST OF THE BOISE MERIDIAN, IDAHO

SUMLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	E
1	9	27	E
2	9	27	E
3	9	27	E
4	9	27	E
5	9	27	E
6	9	27	E
7	9	27	E
8	9	27	E
9	9	27	E
10	9	27	E
11	9	27	E
12	9	27	E
13	9	27	E
14	9	27	E
15	9	27	E
16	9	27	E
17	9	27	E
18	9	27	E
19	9	27	E
20	9	27	E
21	9	27	E
22	9	27	E
23	9	27	E
24	9	27	E
25	9	27	E
26	9	27	E
27	9	27	E
28	9	27	E
29	9	27	E
30	9	27	E
31	9	27	E
32	9	27	E
33	9	27	E
34	9	27	E
35	9	27	E
36	9	27	E

1. 2230 Deeds OR BLM provides for protection of water supply of Lake Walcott, all land lying S of Snake River
 Secs 6, 7, 8
 Secs 17 to 23 incl
 Secs 23 to 28 incl
 Secs 33 to 36 incl
 100 230737 High Hill Trail
 identical information only, fees not stated
 Public Access
 Survey Fee
 3/27/1991

CASSIA COUNTY BLAINE COUNTY

FOR ORDERS EFFECTIVE DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO MOST OF MISCELLANEOUS DOCUMENTS

DATE TO	DATE TO
1/21/1991	1/21/1991
1/21/1991	1/21/1991

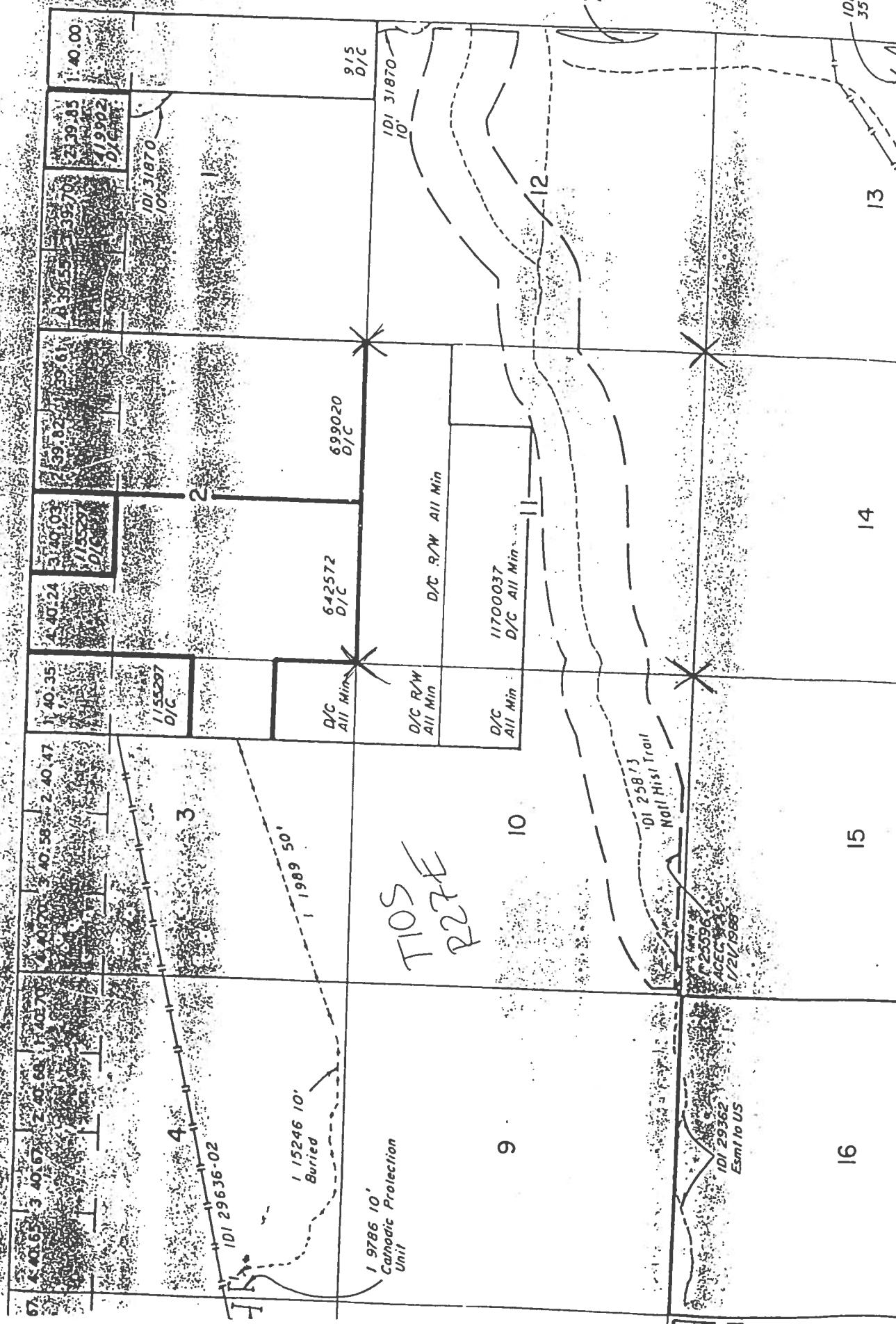
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

SCALE: 1" = 40' 0"

COUNTY RANGE 26 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY 031

BURLEY DISTRICT SEC. 3



11/01/2000

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

RIGHT NUMBER: 43-7005

NAME AND ADDRESS: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 6.4 CFS
1280 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4204.8 AF. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016.

PRIORITY DATE: 07/02/1968

POINT OF DIVERSION:	T09S R27E S35	SESWSW	Within CASSIA County
	T10S R27E S2	NWNWNE	Within CASSIA County
	T10S R27E S2	NWNWSW	Within CASSIA County
	T10S R27E S11	NWNNW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05-01 10-15	6.40 CFS 1,280.0 AFY

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

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T09S R27E S34	NESE	0.5	T09S R27E S34 SESE 34.8
T09S R27E S35	NESW	0.5	T09S R27E S35 NWSW 5.1
T09S R27E S35	SWSW	40.1	T09S R27E S35 SESW 18.2
T10S R27E S10	NENE	29.7	T10S R27E S10 SENE 9.6
T10S R27E S11	NENE	26.6	T10S R27E S11 NWNE 40.3
T10S R27E S11	SWNE	40.3	T10S R27E S11 SENE 14.3
T10S R27E S11	NENW	38.8	T10S R27E S11 NWNW 40.3
T10S R27E S11	SWNW	39	T10S R27E S11 SENW 40.3
T10S R27E S2 LOT 1	NENE	30.4	T10S R27E S2 LOT 2 NWNE 28.3
T10S R27E S2	SWNE	30.3	T10S R27E S2 SENE 25.3
T10S R27E S2 LOT 3	NENW	37.9	T10S R27E S2 LOT 4 NWNW 40.3
T10S R27E S2	SWNW	33.2	T10S R27E S2 SENW 39.3
T10S R27E S2	NESW	32.9	T10S R27E S2 NWSW 39
T10S R27E S2	SWSW	40.3	T10S R27E S2 SESW 37.3
T10S R27E S2	NESE	36.8	T10S R27E S2 NWSE 40.1
T10S R27E S2	SWSE	37.9	T10S R27E S2 SESE 40.4
T10S R27E S3 LOT 1	NENE	33.9	T10S R27E S3 SENE 8.6
T10S R27E S3	NESE	7.2	T10S R27E S3 SESE 13.4

1051.2 ACRES TOTAL

Water Right 43-7005

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1051.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02336, 43-02352, 43-07005, & 43-07016.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

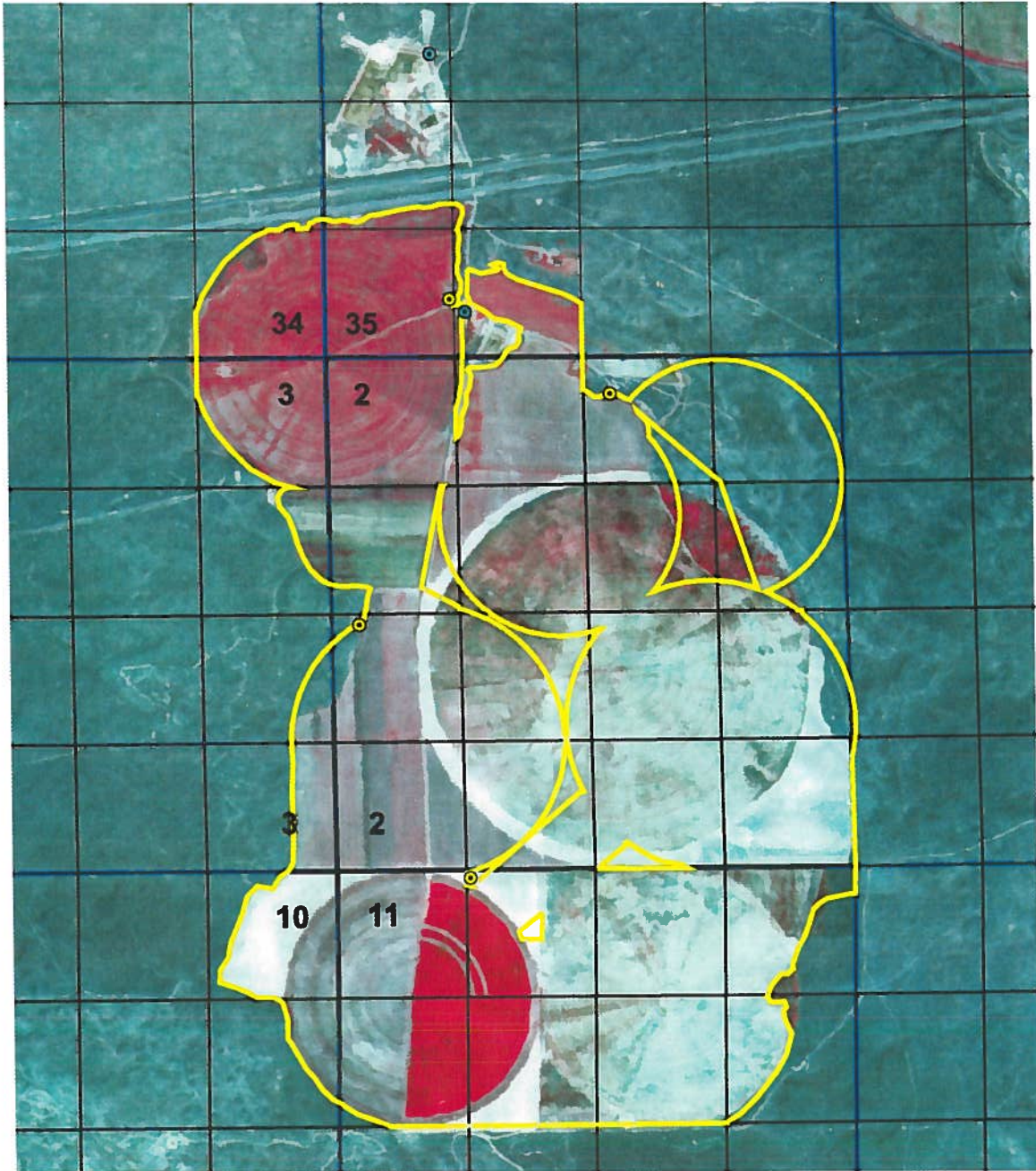
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

43-02336, 43-02352, 43-07005, & 43-07016



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON NOV. 1, 2000
TWP 09S, RNG 27E, SEC. 34 & 35
TWP 10S, RNG 27E, SEC. 2, 3, 10, & 11

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

APR 21 2000

Department of Water Resources
Southern Region

TRANSFER NO. 5444

WATER RIGHT NO(S). 43-02336/43-02352/43-07005/43-07016

This is to certify that: WEBB BASIN DAIRY
HC 76 BOX 1050
AMERICAN FALLS ID 83211

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. 43-02336 :			
IRRIGATION	04/01 to 11/01	4.00 CFS	916.0 AF
Priority: 04/20/1956			
Right No. 43-02352 :			
IRRIGATION	04/01 to 11/01	4.74 CFS	948.0 AF
Priority: 04/15/1956			
Right No. 43-07005 :			
IRRIGATION	05/01 to 10/15	6.40 CFS	1280.0 AF
Priority: 07/02/1968			
Right No. 43-07016 :			
IRRIGATION	04/01 to 11/01	2.70 CFS	1144.0 AF
Priority: 12/30/1970			
TOTAL:		* 15.23 CFS	* 4204.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SE SWSW , Sec. 35, Township 09S, Range 27E
Lot 2 (NW/NE), Sec. 2, Township 10S, Range 27E
NW/NWSW , Sec. 2, Township 10S, Range 27E
NW/NENW , Sec. 11, Township 10S, Range 27E
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>
09S	27E	34	NESE 0.5	SESE 34.8		35.3
		35	NESW 0.5	NWSW 5.1	SWSW 40.1	
			SESW 18.2			63.9

TRANSFER NO. 5444
WATER RIGHT NO(S). 43-02336/43-02352/43-07005/43-07016

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	2	Lot	1 (NENE)	30.4'	Lot	2 (NWNE)	28.3'		SWNE	30.3'	
				SENE	25.3'	Lot	3 (NENW)	37.9'		Lot	4 (NWNW)	40.3'
				SWNW	33.2'		SENW	39.3'		NESW	32.9'	
				NWSW	39'		SWSW	40.3'		SESW	37.3'	
				NESE	36.8'		NWSE	40.1'		SWSE	37.9'	
				SESE	40.4'							569.7
		3	Lot	1 (NENE)	33.9'		SENE	8.6'		NESE	7.2'	
				SESE	13.4'							63.1
		10		NENE	29.7'		SENE	9.6'				39.3
		11		NENE	26.6'		NWNE	40.3'		SWNE	40.3'	
				SENE	14.3'		NENW	38.8'		NWNW	40.3'	
				SWNW	39'		SENW	40.3'				279.9
						Total number of acres irrigated:						1051.2

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Approval of Transfer 5444 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5444 shall not exceed 15.23 cfs, nor total combined annual volume of 4204.8 af.
- ** 8. Right 43-02336 is limited to the irrigation of 229 acres within the place of use described above in a single irrigation season.

TRANSFER NO. 5444
WATER RIGHT NO(S). 43-02336/43-02352/43-07005/43-07016

CONDITIONS OF APPROVAL AND REMARKS

- ** 9. Right 43-02352 is limited to the irrigation of 237 acres within the place of use described above in a single irrigation season.
- ** 10. Right 43-07005 is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
- ** 11. Right 43-07016 is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.
- ** 12. Rights 43-02336, 43-02352, 43-07005 and 43-07016 when combined shall not exceed the irrigation of 1051.2 acres.
- 13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 19th day of

April

, 2000


Chief, Water Allocation Bureau

MEMO TO FILE: Transfer: #5444 Webb Basin Dairy

WR: 43-02336, 43-02352, 43-07005, & 43-07016

AJ: A43-02336, A43-02352, A43-07005, & A43-07016

EMPLOYEE: Jeanie Robertson, Adjudication

DATE: July 31, 1999

I recommend approval of this transfer with the conditions proposed by Georgia Satterlee. I worked with Georgia and the applicants in the initial filing process of the transfer and created the GIS shape-file for determining irrigated acres. In reviewing the finished product, it appears to be accurate and I would recommend the SRBA claims accordingly, if the transfer is approved.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant WEBB BASIN DAIRY Phone (208)349-5545
Post Office address HC 76 BOX 1050, AMERICAN FALLS, ID. 83211

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes SHOW ACTUAL IRRIGATION AND POINTS OF DIVERSION(S)

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-02352</u>	<u>04-15-1956</u>	<u>4.74</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/01</u>
<u>43-02336</u>	<u>01-20-1956</u>	<u>4.00</u>	<u>" "</u>	<u>"</u> to <u>"</u>
<u>43-07005</u>	<u>07-02-1968</u>	<u>6.4</u>	<u>" "</u>	<u>"</u> to <u>"</u>
<u>43-07016</u>	<u>12-30-1970</u>	<u>2.7</u>	<u>" "</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 17.84* cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion: * LIMITED TO 15.23 CFS WHEN COMBINED

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	35	09S	27E	CASSIA	GPS TAG A0002919
	NW	NW	NE	02	10S	27E	" "	" " A0002915
	NW	NW	SW	02	"	"	" "	" " A0002916
	NW	NE	NW	11	"	"	" "	" " A0002918

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
09S	27E	34													0.5			34.8	35.3
		35									0.5	5.1	40.1	18.2					63.9
10S	27E	02	30.4	28.3	30.3	25.3	37.9	40.3	33.2	39.3	32.9	39	40.3	37.3	36.8	40.1	37.9	40.4	569.7
			LOT 2				LOT 3 LOT 4												
		03	33.9			8.6									7.2			13.4	63.1
			LOT 1																
		10	29.7			9.6													39.3
		11	26.6	40.3	40.3	14.3	38.8	40.3	39	40.3									274.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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10/31/00
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PROFILE REPORT

CLAIM NUMBER: A43-07005

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEBB BASIN DAIRY	07/02/1968	IRRIGATION ~~STOCKWATER~~	05-01 10-15 ~~01-01-12-31~~	6.400 CFS ~~0-010-CFS~~	1280.00 AFA ~~2.70 AFA~~
TOTAL DIVERSION:					6.400 CFS	1280.00 AFA
CONSUMPTIVE USE:						~~3378.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R27E S35
T10S R27E S02
S11

~~NWSESW~~ ~~SWSESW~~
SESWSW
NWNWNE NWNWSW
NWNENW

CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
09S	27E	34	:					:					:					:						40	40.0
09S	27E	35	:					:					:		25	40	40	:							105.0
10S	27E	2	:			02-40	40	05	:	03-40	04-40	40	40	:	40	40	40	40	:	30	40	40	40	:	555.0
10S	27E	3	:	01-40				10	:					:					:	03			28	:	81.0
10S	27E	10	:	40			40	:					:						:					:	80.0
10S	27E	11	:	25	40	40		:	40	40	40	40	:					:						:	265.0
																							TOTAL ACRES		1126.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	27E	35	:					:					:					:						
10S	27E	2	:			S		:					:					:						

POU County: CASSIA

Non-Irrigation Uses: S/1000 CATTLE

Other Rights: A43-02336, A43-02352, A43-07016

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN P/D COMBINED W/OTHER RTS. TO FORM ONE COMMON SYSTEM BY TRANS.
TRANS. #1915.
TRANS. #3381 APPROVED MAY 24, 1989 COMBINED P/U OF ALL WATER

$1051.2 \times 4 = 4204.8 \text{ AF (E27)}$



Conol. Cade C18
Remarks:
POU1 - E14 (1051.21)
K06 (320A)
QNT - E27 (15.23)
4204.
Purp. Use - SP3
5/17/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT CONTINUED

CLAIM NUMBER: A43-07005

Remarks: RIGHTS. ALL RIGHTS COMBINED CANNOT EXCEED 15.23 CFS.
MICHAEL WEBB PHONE #349-5529.

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A43-07005

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	- N							
POINT OF DIV	Y -							
SOURCE	- N							
PLACE OF USE	Y -							
DIV. AMOUNT CFS/VOLUME	- N							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y -							
PERIOD OF USE	- N							
BASIS OF CLAIM	- N							
REMARKS	Y -							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC