

09/13/2006

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

RIGHT NUMBER: 22-2194A

NAME AND ADDRESS: R & S WEBSTER ENTERPRISES LLC
PO BOX 671
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.070 CFS
682.500 AFY

PRIORITY DATE: 11/15/1960

POINT OF DIVERSION:

T05N R40E S26 NESWSE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

2.070 CFS
682.50 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S26	NWNE	38.00	T05N R40E S26	SWNE	39.00
T05N R40E S26	NENW	20.00	T05N R40E S26	SENW	20.00
T05N R40E S26	NESW	20.00	T05N R40E S26	SESW	20.00
T05N R40E S26	NWSE	40.00	T05N R40E S26	SWSE	40.00
T05N R40E S35	NWNE	39.00	T05N R40E S35	NENW	19.00

295 ACRES TOTAL

This right is limited to the irrigation of 166.0 acres within the place of use described above in a single irrigation season.

Right Nos. 22-2194A and 22-2194C are limited to the irrigation of a combined total of 295.0 acres 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

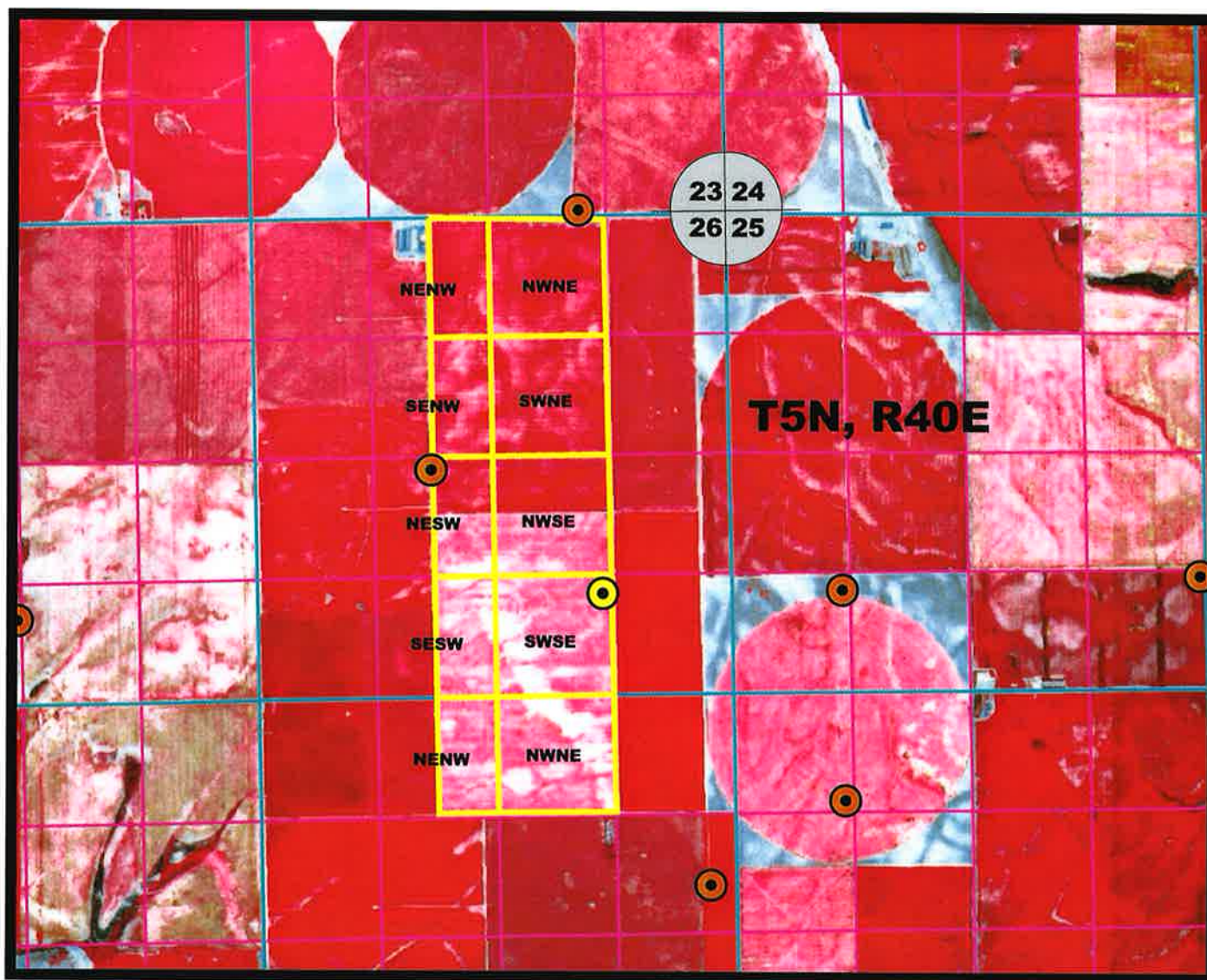
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 Feet

Water Right(s):
22-2194A,
22-10939

Point(s) of Diversion:
T5N, R40E
Sec. 26 NESWSE

Place of Use: (parts of)
T5N, R40E
Sec. 26 W2E2, E2E2W2

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: December 2005

26785

WARRANTY DEED

FOR VALUE RECEIVED, Cornelison & Olsen Partnership, an Idaho general partnership, consisting of Keith Cornelison and Ronald Olsen whose mailing address is P.O. Box 396, Rexburg, Idaho, 83440, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey to R & S Webster Enterprises, LLC whose mailing address is 430 Yale Avenue, Rexburg, Idaho 83440, hereinafter termed Grantee, the following described real property located in Madison County, State of Idaho, particularly described as follows, to-wit:

PARCEL 1: A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 40 East of the Boise Meridian, Sections 26 and 35, more particularly described as follows:

Commencing 1900 feet East of the Northwest corner of Section 26, Township 5 North, Range 40 East, Boise Meridian, Madison County, State of Idaho, and running thence South 5280 feet to the South boundary line of said Section 26; thence continuing on South 1320 feet into Section 35, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho; thence East 2048 feet; thence North 6600 feet to the North boundary line of Section 26, Township 5 North, Range 40 East, Boise Meridian; thence West 2048 feet to the point of beginning.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, SUBJECT HOWEVER, to all easements and rights-of-way-appearing on such premises or of record, reservations in favor of the United States or the State of Idaho.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does covenant to and with the said Grantees that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that it will warrant and defend the same from all lawful claims whatsoever.

Dated this 4th day of February, 2000.

GRANTOR

CORNELISON & OLSEN, PARTNERSHIP

by: Keith Cornelison
Keith Cornelison, General Partner

by: Ronald Olsen
Ronald Olsen, General Partner

Microfilm No. 282300
Day FEB 04 2000 At 1625
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee S. 6-- NA Deputy
Recorded At Request of
First American Title Company

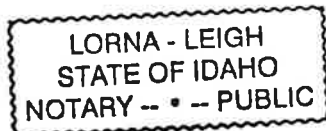
STATE OF IDAHO)

282400

ss.

County of Madison)

On this 4th day of February, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared, **Keith Cornelison and Ronald Olsen**, known to me to be the general partners of **CORNELISON & OLSEN PARTNERSHIP**, the general partnership that executed the foregoing instrument and acknowledged to me that such general partnership executed the same.



Lorna - Leigh
Notary Public for Idaho

Residing at Jerment Co.

My Comm. Expires: 2-16-2001

Claim no. A22-02194A
A22-10939

Claimant Contact Log

Date 12-9-2004 Remarks Agent initials

HLJ

1/ Rob + Shane Webster are the new owners according to Terry Wilcox, of Wilcox Bros LLC. Sold in Feb 2000.

356-9563 - Rob

356-0367 - Shane

2/ Check P.O.W on west edge for 2nd W.R. from same well - yrs A22-10939

3/ Change of ownership to Rob + Shane Webster (R+S Webster Enterprises LLC) Found in file. See attached in file.

4/ Need evidence of ownership sent to Webster. → ?

DC/3-27-00
DELOG *DR*

RECEIVED

MAR 24 2000

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

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s).: _____
 Adjudication Claim No(s).: A22-02194A A22-10939

 2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 CORNELISON & OLSEN, AN IDAHO GEN. PARTNERSHIP
PO Box 817, REXBURG ID 83440

 4. New Owner/Claimant(s) R & S WEBSTER ENTERPRISES, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 671
 City, State and ZIP Code REXBURG ID 83440
 New Telephone Number (208) 356-0867

 5. Date you acquired the property 2-4-2000

 6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
- Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
-
7. Signature of New Owner(s) or Claimant(s) *Shane Webster* *Partner*
-
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

Contacts Data Entry Form

Claim Number: A22-02194AA 22-10939

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: R&S Webster Enterprises LLC Phone No.: 208-356-0367

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: Rob Webster Phone No.: 208-356-0367Relationship to Claimant: Claimant Date of Field Exam: 12-8-04Discussion of right origin and split history. Questions and problems.

Right A22-02194B is now owned by Wilcox Bros. LLC
c/o Terry Wilcox (phone # 208-356-7563)

Reviewer: _____ Date: _____

Water Right No(s). A22-02194A + A22-10939

Part of system (4 wells) to
3 pivots

Photo #5 Facing East

GPS DATA:

Tag # A0000244 Location: 2684437 File # 4
1394545

Diversion Data:

Tag on BASE PLATE

Source: Groundwater Trib to: _____

MOTOR

Make: GE Model: 5K6326XC3 Hp: 500
SN: CEJ312975 16A

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

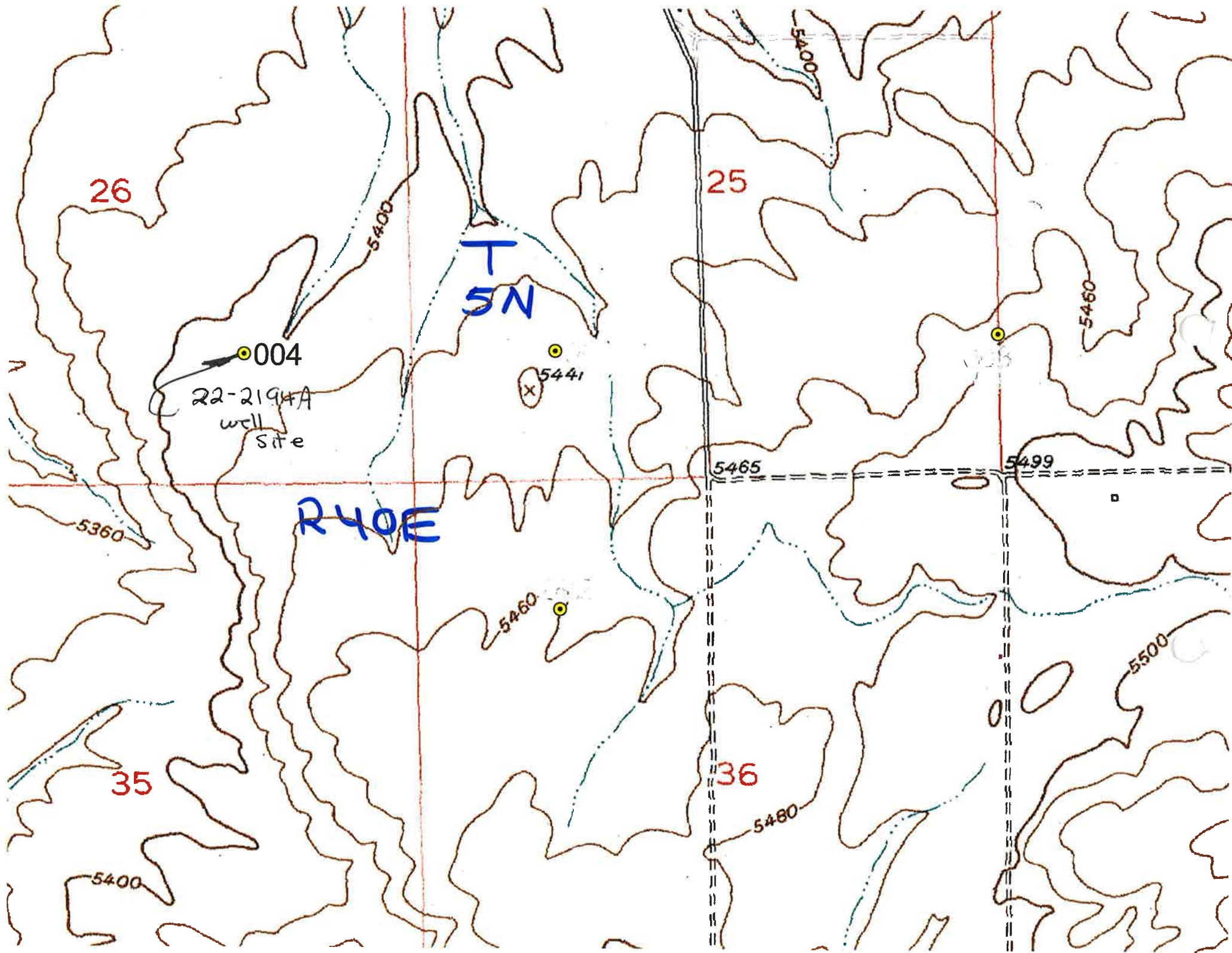
NOTES:

1/ Has Booster - Hp 100 SN. CAJ324180
2/ GPS location on Ryan Mikersell's computer under Basin 22 GPS

Field Exam Date: 12-8-2004 Agent: HLJ

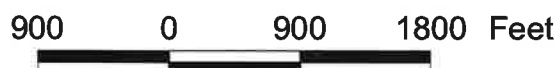
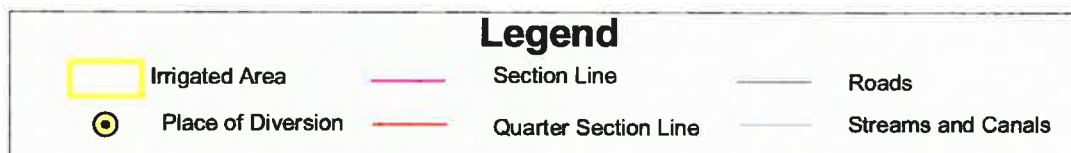
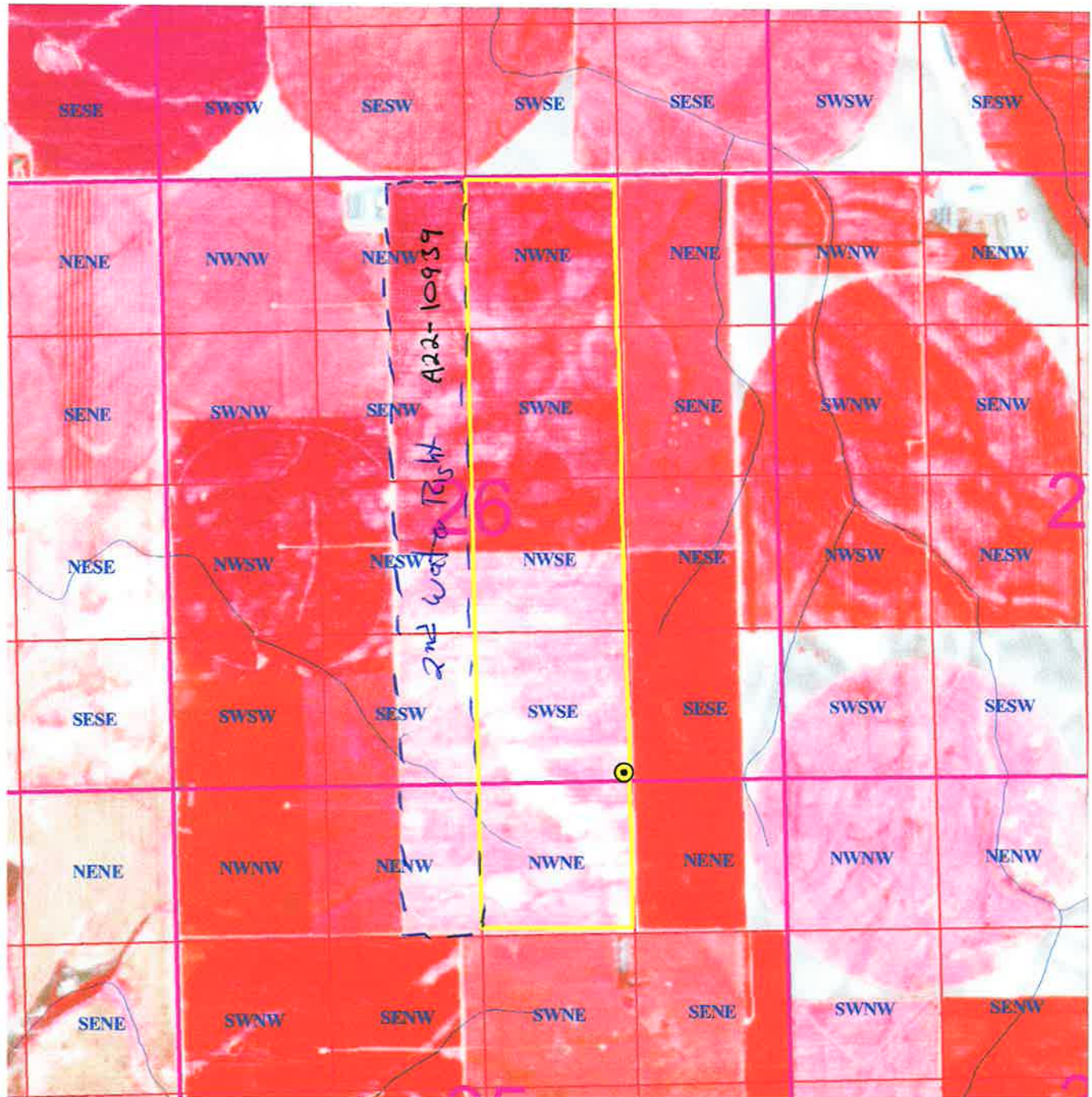


A22-21944 + A22-10939 - R+S Webster Enterprises



Water Right Claim Number 22-02194A
Township , 5N40E

06/26/2001



State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

License of Water Right No. 22-2194 Priority November 15, 1960 Amount 10.69 cfs

THIS IS TO CERTIFY, that WILLIAM L. WEBSTER
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-2194 issued pursuant to Application for Permit dated November 15, 1960,
and has submitted proof to the Department of Water Resources on November 23, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 15.93 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u> at	<u>10.69 cfs</u> and	<u>3524.5 acre feet</u>
	from _____ at _____ cfs and		
	from _____ at _____ cfs and		

Subject, however, to the condition that no more than 10.69 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3524.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25; SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 26, Twp. 5N, Rge. 40E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
5N	40E	25					22	36	40	40	39	39	89	39	451
		26	39	39	40	40								40	318
		35	39	39											78
		36					40	40	40	40					160

Total number of acres irrigated 1007

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24th day of
April, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29148

This proof is for Completion of Works & Beneficial Use In Water District No. 430

1. Name of applicant William L. Webster

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 Sec. 26, Twp. 5 N., Rge. 40 E. of Section 26

T. 5 N. R. 40 E. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same:

- PO # A 350 HP ELEC MOTOR # CAT 331011, JOHNSTON VERTICAL TURBINE PUMP.
JOHNSTON VERT BOOSTER PUMP. 10" DISCHARGE UNDERGROUND.
- PO # B 600 HP ELEC MOTOR # SBT 28014, L & B POWER VERT TURBINE PUMP # 28600
125 HP ELEC CC MOTOR - L & B VERT BOOSTER PUMP. 10" DISCHARGE.
- PO # C 450 HP ELEC CC MOTOR, L & B VERT TURBINE PUMP, 125 HP ELEC MOTOR - L & B VERT BOOSTER.
(NOTE FACE)

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4 Sec. 26., SE 1/4 Sec. 25., SE 1/4 Sec. 36., SE 1/4 Sec. 35., Twp. 5 N., Rge. 40 E.

1165 ACRES

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks:

$$Q = \left(32 - \frac{1}{2} \text{ mile laterals} \right) \left(\frac{1}{4} \text{ " Round } @ 15 \text{ lbs} \right)$$

148.8 gpm

$$Q = \left(\frac{.251 \text{ No. 2}}{148.8 \text{ gpm}} \right) \left(5.79 \text{ gpm} \right) = \frac{1.62 \text{ cfs}}{15.93}$$

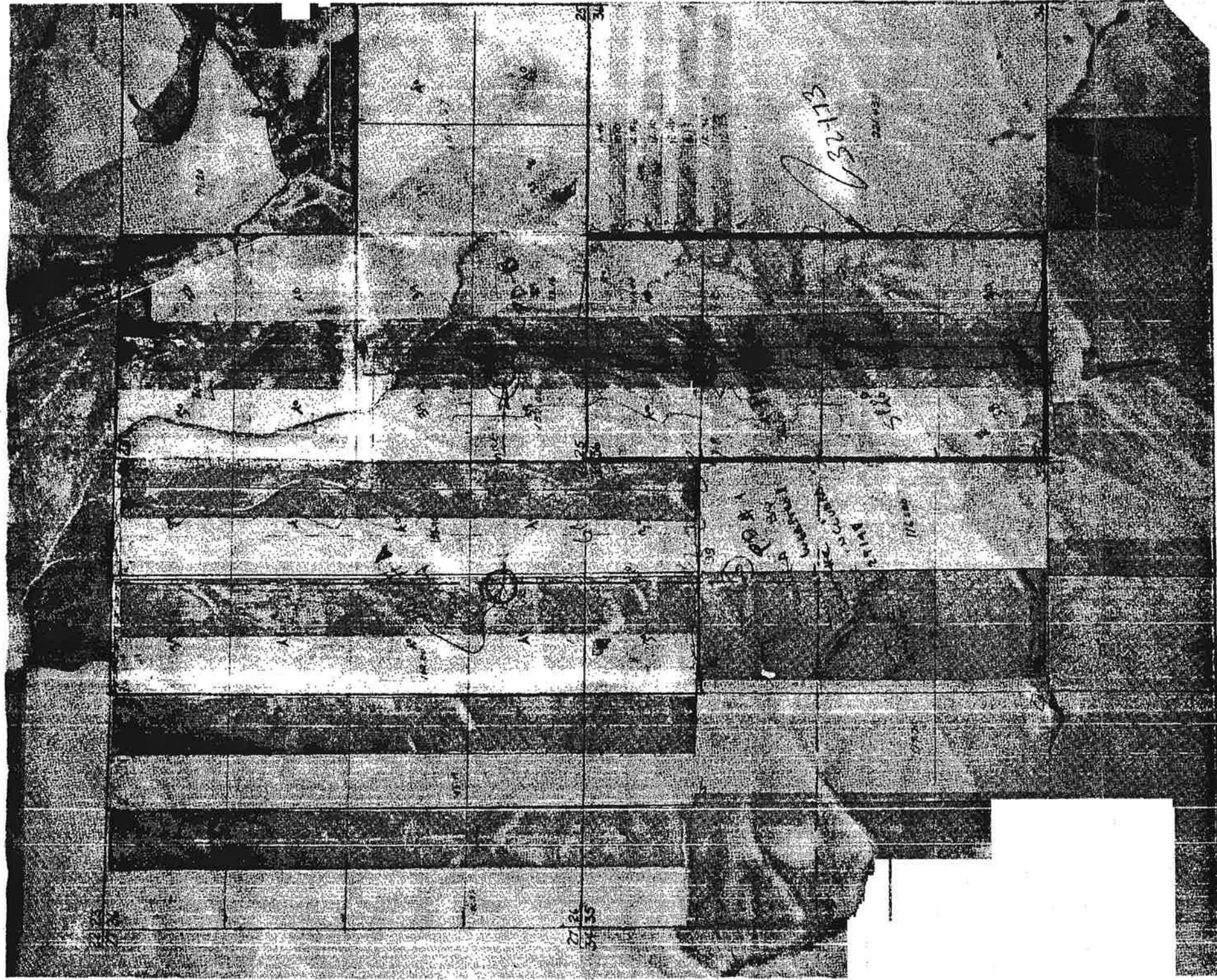
Only 2 P.D. stubs in the area

This examination was made on the 12th day of Sept, 1967

(Signed) D.R.

Examiner.

29148



84162



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 28, 2000

R & S WEBSTER ENTERPRISES LLC
PO BOX 671
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02194A,
A22-10939

Dear Mr. Webster:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

2625

Transferred to Fremont
County

ST 1900'
1/2 SEC 26

75.8
6 NHEL

NW

P/O

TSN
R40E

26
35

74.4
7 NHEL

NOVEMBER 9, 1994

CORNELISON & OLSEN
AN IDAHO GENERAL PARTNERSHIP
PO BOX 817
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-11034, -02273, -02194A, -
02194B, 10982, & -10979

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

cc: Charles Homer/copy of letter

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NOV 06 1994

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
JAMES K. SLAVENS

WEST ONE BANK BLDG.
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

November 4, 1994

Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

RECEIVED

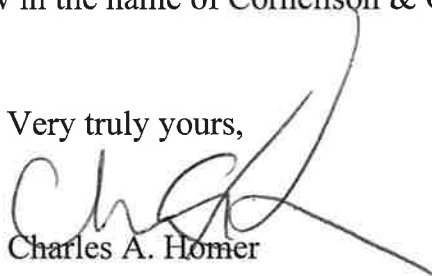
NOV 07 1994

Department of Water Resources
Eastern District Office

Gentlemen:

Enclosed is a "New Property Owner Notice of Change of Water Right Ownership" form which we are submitting on behalf of our client, Cornelison & Olsen Partnership. You will note that the enclosed form is executed by the General Partner of Cornelison & Olsen and has attached thereto a copy of the recorded Warranty Deeds transferring title on the subject property to Cornelison & Olsen. I presume that you will now process the relevant water rights to show that the filing is now in the name of Cornelison & Olsen. Please call if you have any questions.

Very truly yours,


Charles A. Homer

Enclosure

G:\WPDATA\CAH\8470\IDWR1104.LTR:srs

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NOV 06 1994

RECEIVED
NOV 07 1994

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Department of Water Resources
Eastern District Office

DATE OF CLOSING: January, 1990

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

See attached copy of Schedule "A" from Title Insurance Policy

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Rights Number(s) A22-11034, A22-02273, A22-02194A,
Assigned by IDWR: A22-02194B, A22-10982, A22-10979

Handwritten notes: "NO R" with arrows pointing to A22-11034, A22-02273, and A22-02194A. "NO R" with an arrow pointing to A22-02194B. "R" with an arrow pointing to A22-10982. "R" with an arrow pointing to A22-10979. "OK" with a signature.

[X] Name and Address of Former Owner/Claimant(s)(Seller):
Webco Farms, Inc., Mitch B. & Marilyn
P. Webster and Valley Bank, c/o Kevin
T. Sullivan, Esq. P.O. Box 51718
Idaho Falls, Idaho 83405

[X] New Owner/Claimant (Purchaser):
Cornelison & Olsen, an Idaho
General Partnership

[X] New Mailing Address:
P.O. Box 817
Rexburg, Idaho 83440

[X] New Telephone Number: (208) 356-0396

[X] Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes X no. If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

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NOV 06 1990

- [X] Attach proof of ownership,
describe proof attached: See attached Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim
number. Proof of ownership is not required if this form is signed by the former
owner/claimant.)

CORNELISON & OLSEN PARTNERSHIP

- [X] Signature of New
Owner/Claimant(s)

By:  Date: 11/03/94
Its: General Partner

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

Date: _____
Date: _____

(Signature of former claimant(s) is not required if proof
of ownership is attached)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Number of Split, if any:

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

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AMENDED CORPORATION WARRANTY DEED

THIS INDENTURE, made this 12th day of January, 1990, between VALLEY BANK, an Idaho Banking Corporation, the party of the first part, and CORNELISON and OLSEN, an Idaho General Partnership having as its general partners Keith Cornelison and Ronald Olsen, whose mailing address is P. O. Box 817, Rexburg, County of Madison, State of Idaho 83440, the party of the second part.

WITNESSETH, that the party of the first part having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the party of the second part hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the party of the second part, and to party of the second part's heirs and assigns forever, all the following described real estate situated in County of Madison, State of Idaho, to-wit:

Starting at the point of the Southwest corner of the Southeast Quarter of Section 25, Township 5 North, Range 40 East, running thence North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Together with:

1. All improvements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits.
2. All fuel tanks located on the property at the time of the signing of this Deed.
3. A 1/2 interest in the pump, well, and water rights associated therewith which are located on the above described property.

Subject to:

1. A one-half interest in the well, pump and water rights associated therewith which are located on the above described property and which are owned by Webco Farms, Inc., an Idaho Corporation. Webco Farms, Inc.

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NOV 06 1990

also has an obligation to pay one-half of the power, maintenance, repair and replacements associated with the well and pump. The well pumps approximately 20 gallons per hour. MIN.?

2. An easement in favor of Webco Farms, Inc. to transport one-half of the water rights arising from the well located on the property being transferred by this Deed to the property of Webco Farms, Inc. lying immediately to the East of the property that is the subject of this Deed.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever. And the said party of the first part, and said party of the first part's heirs shall and will warrant and by the presents forever defend the said premises in the quiet and peaceable possession of the said party of the second part and party of the second part's heirs and assigns, against the said party of the first part and party of the first part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

This Amended Corporation Warranty Deed is given to correct an error in the legal description in the Warranty Deed recorded as Instrument No. 231998. This Amended Corporation Warranty Deed shall replace such prior Warranty Deed recorded as Instrument No. 231998.

IN WITNESS WHEREOF, the said party of the first part hereunto has set its corporate name and seal by its duly authorized officer.

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CORPORATION WARRANTY DEED

THIS INDENTURE, made this 23rd day of January, 1990, between WEBCO FARMS, INC., a corporation duly organized and existing under the laws of the State of Idaho, and having its principal office in Idaho at Rexburg in the County of Madison, State of Idaho, the party of the first part, and CORNELISON & OLSEN, a General Partnership having as its General Partners Keith Cornelison and Ronald Olsen, whose mailing address is P. O. Box 817, Rexburg, Idaho 83440, the party of the second part.

WITNESSETH, that the party of the first part having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the party of the second part hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the party of the second part, and to party of the second part's successors and assigns forever, all the following described real estate situated in County of Madison, State of Idaho, to-wit:

PARCEL 1.

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho:

Section 26: The East 342 feet of said Section;
Section 35: The East 342 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Section 25: W $\frac{1}{2}$; SE $\frac{1}{4}$, LESS THE FOLLOWING
PROPERTY: Starting at the point of the Southwest corner of the SE $\frac{1}{4}$ of Section 25, then running North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Section 24:

Commencing at a point approximately 1419 feet East of the Northwest corner of the Southwest Quarter and running thence South 30°9' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence South 89°6' East 380 feet to the Southeast corner of the Southwest Quarter; thence North approximately 2640 feet to the center of said Section; thence West approximately 1221 feet to the point of beginning.

NOV 06 1990

ALSO: Commencing at a point approximately 792 feet East of the Northwest corner of the Southwest Quarter and running thence East 627 feet; thence South 30°09' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence West 363 feet to the East line of the County Road; thence Northwesterly along the East line of said County Road 2871 feet, more or less, to the point of beginning.

Section 36: $W\frac{1}{2}$.

PARCEL 2:

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho:

Section 24: $SE\frac{1}{4}$

Township 5 North, Range 41 East, Boise Meridian, Madison County, Idaho:

Section 30: Lots 2, 3 and 4; $SE\frac{1}{4}$ $NW\frac{1}{4}$; $E\frac{1}{2}$ $SW\frac{1}{4}$.

SUBJECT TO THE FOLLOWING:

1. The effect of and conditions contained in State Deeds dated May 8, 1923, recorded June 12, 1944, in Book 60, Page 344; and dated November 5, 1943, recorded December 22, 1943, in Book 155, Page 43, as follows:

"Subject to the provision of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the State a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, Reserving to the State all mineral rights in lands sold subsequent to the 8th day of May, 1923." Parcel 1: Section 36.

2. Pole Line Easement to Utah Power & Light Company recorded May 16, 1961, in Book 187, Page 255. Said Easement being for electric transmission lines. Parcel 1: Section 25 and 26.

3. Pole Line Easement to Utah Power & Light Company recorded August 20, 1965, as Instrument No. 127418. Said

easement being for pole line easement being for electric transmission lines. Parcel 1: Section 25 and 36.

4. Pole Line Easement to Utah Power & Light Company recorded August 20, 1965, as Instrument No. 127419. Said easement being for pole line easement being for electric transmission lines. Parcel 2: Section 24.

5. Pole Line Easement to Utah Power & Light Company recorded August 20, 1965, as Instrument No. 127427. Said easement being for pole line easement being for electric transmission lines. Parcel 1: Section 25 and 26.

6. Pole Line Easement to Utah Power & Light Company recorded August 20, 1965, as Instrument No. 127428. Said easement being for pole line easement being for electric transmission circuits. Parcel 1: Section 26.

7. Pole Line Easement to Utah Power & Light Company recorded August 20, 1965, as Instrument No. 127429. Said easement being for pole line easement being for electric transmission circuits. Parcel 1: Section 26.

8. Pole Line Easement to Utah Power & Light Company recorded October 21, 1965, as Instrument No. 127761. Said easement being for pole line easement being for electric transmission circuits. Parcel 1: Section 25 and 36.

9. Pole Line Easement to Utah Power & Light Company recorded August 21, 1965, as Instrument No. 127763. Said easement being for pole line easement being for electric transmission circuits. Parcel 1: Section 26.

10. Pole Line Easement to Utah Power & Light Company recorded July 13, 1967, as Instrument No. 131609. Said easement being for pole line easement being for electric transmission lines. Parcel 1: Section 36.

11. Grant of Right of Way from William L. Webster to Pauline E. Smith, dated October 25, 1972, recorded November 2, 1972, as Instrument No. 147045. Said easement being for roadway. Parcel 1: Section 25; and Parcel 2: Section 24 and 30.

12. Easement to Utah Power & Light Company recorded March 9, 1973, as Instrument No. 148244. Said easement being for roadway. Parcel 1: Section 25.

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NOV 06 1980

13. Easement to Utah Power & Light recorded March 9, 1973, as Instrument No. 148245. SAid easement being for transformer pad. Parcel 1: Section 36.

14. Easement to Utah Power & Light Company recorded September 9, 1973, as Instrument No. 168752. Said easement being for underground duct line. Parcel 1: Section 25.

15. Easement to Utah Power & Light recorded September 9, 1977, as Instrument No. 168751. Said easement being for underground duct line. Parcel 2: Section 30.

16. The effect of and conditions contained in Quitclaim Deed between Bruce B. Webster and Julia Webster, husband and wife, and Valley Bank, dated November 10, 1987, recorded October 26, 1988, as Instrument No. 227312.

17. Right, title and interest of the public in and to that portion of the above described premises falling within the bounds of roads and highways, dedicated and/or otherwise used by public, and subject to all easements and restrictions attendant pertinent to said highways.

TOGETHER with all and singular the building and improvements appurtenant thereto, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to party of the second part's assigns forever. And the said party of the first part, and said party of the first part's assigns shall and will warrant and by the presents forever defend the said premises in the quiet and peaceable possession of the said party of the second part and party of the second part's assigns, against the said party of the first part and party of the first part's assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part hereunto has set its corporate name by its duly authorized officer.

WEBCO FARMS, INC.

By Mitch B. Webster

Its Treasurer

STATE OF IDAHO)

) ss.

County of Bonneville)

On this 23rd day of January, in the year 1990, personally appeared Mitch B. Webster, known to me to be the Treasurer of WEBCO FARMS, INC., the Corporation that executed the foregoing instrument and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Pamela T. Thompson
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My commission expires 1-14-93

MICROFILMED

State of Idaho } SS 232608
County of Madison, }

I hereby certify that the within Instrument was filed FEB. 20 1990

19__ at 1:05P M., and
recorded on Film 232608

Fee 15.00
by MARIE B. HOOPES, Recorder
Deputy

At the request of Holburn Kishwell

MICROFILMED

NOV 06 1990

WARRANTY DEED

THIS INDENTURE, made this 23rd day of January 1990, by MITCH B. WEBSTER and MARILYN P. WEBSTER, husband and wife, the party of the first part, and CORNELISON & OLSEN, a General Partnership having as its General Partners Keith Cornelison and Ronald Olsen, whose mailing address is P.O. Box 817, Rexburg, County of Madison, State of Idaho 83440, the party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and OTHER GOOD AND VALUABLE CONSIDERATION, to the party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell, convey and confirm unto the party of the second part, and to the party of the second part's heirs and assigns, forever, all of the following described real estate situated in the County of Madison, State of Idaho, to-wit:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 40 East of the Boise Meridian, Sections 26 and 35, more particularly described as follows:

Commencing 1900 feet East of the Northwest corner of Section 26, Township 5 North, Range 40 East, Boise Meridian, Madison County, State of Idaho, and running thence South 5280 feet to the South boundary line of said Section 26; thence continuing on South 1320 feet into Section 35, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho; thence East 2048 feet; thence North 6600 feet to the North boundary line of Section 26, Township 5 North, Range 40 East, Boise Meridian; thence West 2048 feet to the point of beginning.

SUBJECT TO:

1. Easement to Utah Power & Light Co. recorded August 20, 1965, as Instrument No. 127429. Said easement being for 3 guy anchor and 14 poles.
2. Easement to Utah Power & Light Co. recorded August 21, 1965, as Instrument No. 127763. Said easement being for 1 guy anchor and 5 poles.

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NOV 06 1990

3. Right, title and interest of the public in and to that portion of the above premises falling within the bounds of roads and highways, dedicated and/or otherwise used by public, and subject to all easements and restrictions attendant pertinent to said highways.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to the party of the second part's heirs and assigns forever. The party of the first part and the party of the first part's heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the party of the second part, and the party of the second part's heirs and assigns, against the party of the first part, and the party of the first part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the party of the first part hereunto has set their hand the day and year first above written.

Mitch B. Webster
Mitch B. Webster

Marilyn P. Webster
Marilyn P. Webster

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NOV 06 1990

STATE OF IDAHO,)
)ss.
County of Bonneville.)

On this 23rd day of January, in the year 1990, before me, the undersigned Notary Public in and for said state, personally appeared MITCH B. WEBSTER and MARILYN P. WEBSTER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Pamela T. Thompson
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My commission expires 1-14-93

MICROFILMED
State of Idaho } SS 232607
County of Madison, }
I hereby certify that the within instrument was
filed FEB. 20 1990
19 at 1:00 P M., and NOV 06 1990
recorded on Film 232607
Fee 9.00
by MARIE B. HOOPES, Recorder
Shepard Deputy
At the request of Holden Richard Hahn + Crapo
PO Box 50130
IF ID 83405

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE A

CASE NUMBER
5-8040-V

DATE OF POLICY
March 20, 1990 at 3:15 p.m.

OWNER'S POLICY

AMOUNT OF INSURANCE
\$600,000.00

ENDORSEMENTS

POLICY NUMBER
113-00-055171

1. Name of insured:

CORNELISON & OLSEN, a General Partnership, having
as its General Partners, KEITH CORNELISON AND RONALD OLSEN

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

CORNELISON & OLSEN, a General Partnership, having
as its General Partners, KEITH CORNELISON AND RONALD OLSEN

4. The land referred to in this policy is described as follows:

24 Webster
Property

A parcel of land situated in Madison County, State of Idaho. Township 5 North, Range 40 East of the Boise Meridian, Sections 26 and 35, more particularly described as follows:

Commencing 1900 feet East of the Northwest corner of Section 26, Township 5 North, Range 40 East Boise Meridian, Madison County, State of Idaho, and running thence South 5280 feet to the South boundary line of said Section 26; thence continuing on South 1320 feet into Section 35, Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho; thence East 2048 feet; thence North 6600 feet to the North boundary line of Section 26, Township 5 North, Range 40 East, Boise Meridian; thence West 2048 feet to the point of beginning.

A22-02194A

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NOV 06 1990

AMERICAN LAND TITLE COMPANY

By:

Vicki A. Hanson

Co-signature Authorized Officer or Agent

REXBURG, IDAHO

Issued at (Location)

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

W/600 property
PARCEL 1

Township 5 North, Range 40 East, Boise Meridian Madison County, Idaho

Section 26: The East 342 feet of said Section;

Section 35: The East 342 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Section 25: W $\frac{1}{2}$; SE $\frac{1}{4}$

A22-02194B

LESS THE FOLLOWING PROPERTY:

Starting at the point of the Southwest corner of the SE $\frac{1}{4}$ of Section 25, then running North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Section 24:

Commencing at a point approximately 1419 feet East of the Northwest corner of the Southwest Quarter and running thence South 30°9' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence South 89°6' East 380 feet to the Southeast corner of the Southwest Quarter; thence North approximately 2640 feet the center of said Section; thence West approximately 1221 feet to the point of beginning.

ALSO: Commencing at a point approximately 792 feet East of the Northwest corner of the Southwest Quarter and running thence East 627 feet; thence South 30°09' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence West 363 feet to the East line of the County Road; thence Northwesterly along the East line of said County Road 2871 feet, more or less, to the point of beginning.

Section 36: W $\frac{1}{2}$;

W/600 property
PARCEL 2:

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho

Section 24: SE $\frac{1}{4}$

Township 5 North, Range 41 East, Boise Meridian, Madison County, Idaho

Section 30: Lots 2, 3 and 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;

CONTINUED ON NEXT PAGE

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NOV 06 1990

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

PARCEL 3:

valley bank property

SCHEDULE A cont'd.

Section 36: $W\frac{1}{2}$;

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho

Section 25: Commencing at the Southwest Corner of the Southeast Quarter and running thence North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.



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NOV 06 1990

Schedule _____ Page _____ No. _____

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: **A22-02194A**
Date Received: 8/16/1988
Receipt No: E001320
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CORNELISON & OLSEN 208-356-0396
Address: AN IDAHO GENERAL PARTNERSHIP
PO BOX 817
REXBURG ID 83440

2. Date of Priority: NOV 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	26		SW	SE		MADISON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.070		

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

8. Total consumptive use is 462.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	26	NW	NE		IRR	36.0
			SW	NE		IRR	40.0
			NW	SE		IRR	40.0

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NOV 06 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	26	SW	SE		IRR	40.0
						Section Acres	156.0
		35	NW	NE		IRR	39.0
						Section Acres	39.0
						Total Acres	195.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED OWNERSHIP 11/9/94/JT/GT

15. Basis of Claim: LICENSE

Water Right Number: 222194

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NOV 06 1994

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: A22-02194A
Date Received: 8/16/1988
Receipt No: E001320
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MITCHELL B. WEBSTER
Address: 224 APACHE
REXBURG, ID

83440

2. Date of Priority: NOV 15, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	26	SW	SE			MADISON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.070		

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

A.F.A.

8. Total consumptive use is 462.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	26	NW	NE		IRR	36.0
			SW	NE		IRR	40.0
			NW	SE		IRR	40.0

A22-02194A

Page 1

Date: 08/16/88

A2202194A



MICROFILMED

OCT 29 1982

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	26	SW	SE		IRR	40.0
						Section Acres	156.0
		35	NW	NE		IRR	39.0
						Section Acres	39.0
						Total Acres	195.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 222194

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x Mitchell B. Webster Date: x 8-16-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

Betty Jo Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	R & S WEBSTER ENTERPRISES LLC PO BOX 671 REXBURG ID 83440 (208) 356-0367	11/15/1960	IRRIGATION	04-01 11-01	2.070 CFS	
					TOTAL DIVERSION:	
					CONSUMPTIVE USE:	462.50 AFA

Tributary to:

Stage: LICENSE

T05N R40E S26

SWSE

MADISON County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: MADISON

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP 11/9/94/JT/GT
CHANGED OWNERSHIP JC/3-28-00

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number:

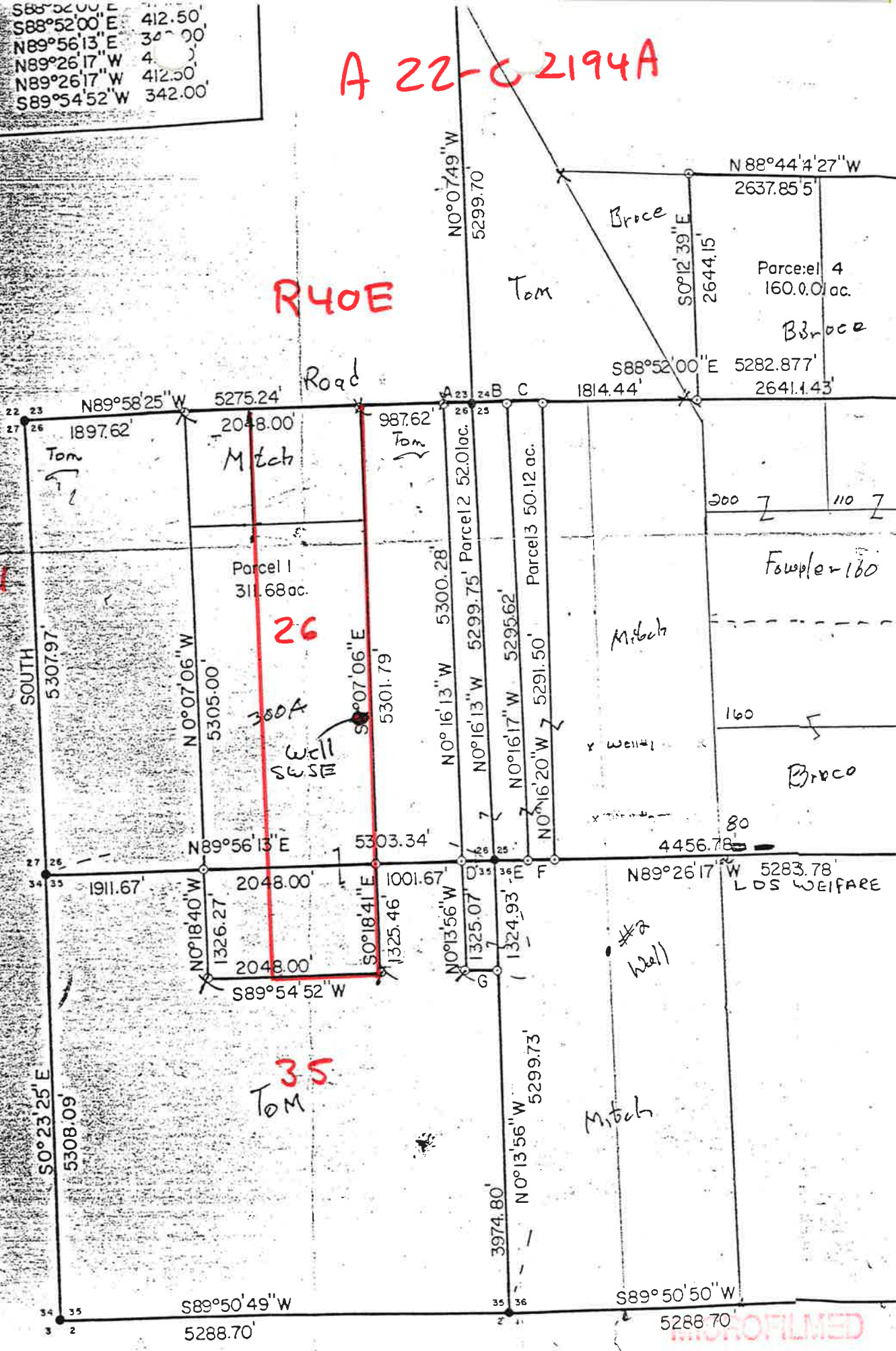
Field Inspection Flag:
Presumption Flag:

B	S88°52'00"E	412.50'
C	S88°52'00"E	342.00'
D	N89°56'13"E	412.50'
E	N89°26'17"W	412.50'
F	N89°26'17"W	412.50'
G	S89°54'52"W	342.00'

A 22-C 2194A

R40E

TSN



35
Tom

MICROFILMED

OCT 29 1992