

04/10/2007

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

RIGHT NUMBER: 22-2194C

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.590 CFS  
525.00 AFY

PRIORITY DATE: 11/15/1960

POINT OF  
DIVERSION: T05N R40E S26 NESWSE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 11/01          | 1.590 CFS<br>525.00 AFY |

PLACE OF USE: IRRIGATION in 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

Right Nos. 22-2194C and 22-2194A are limited to the irrigation of a combined total of 295 acres in a single irrigation season.

This right is limited to the irrigation of 129 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

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



# Idaho Department of Water Resources

SRBA Claim:

**22-2194C**

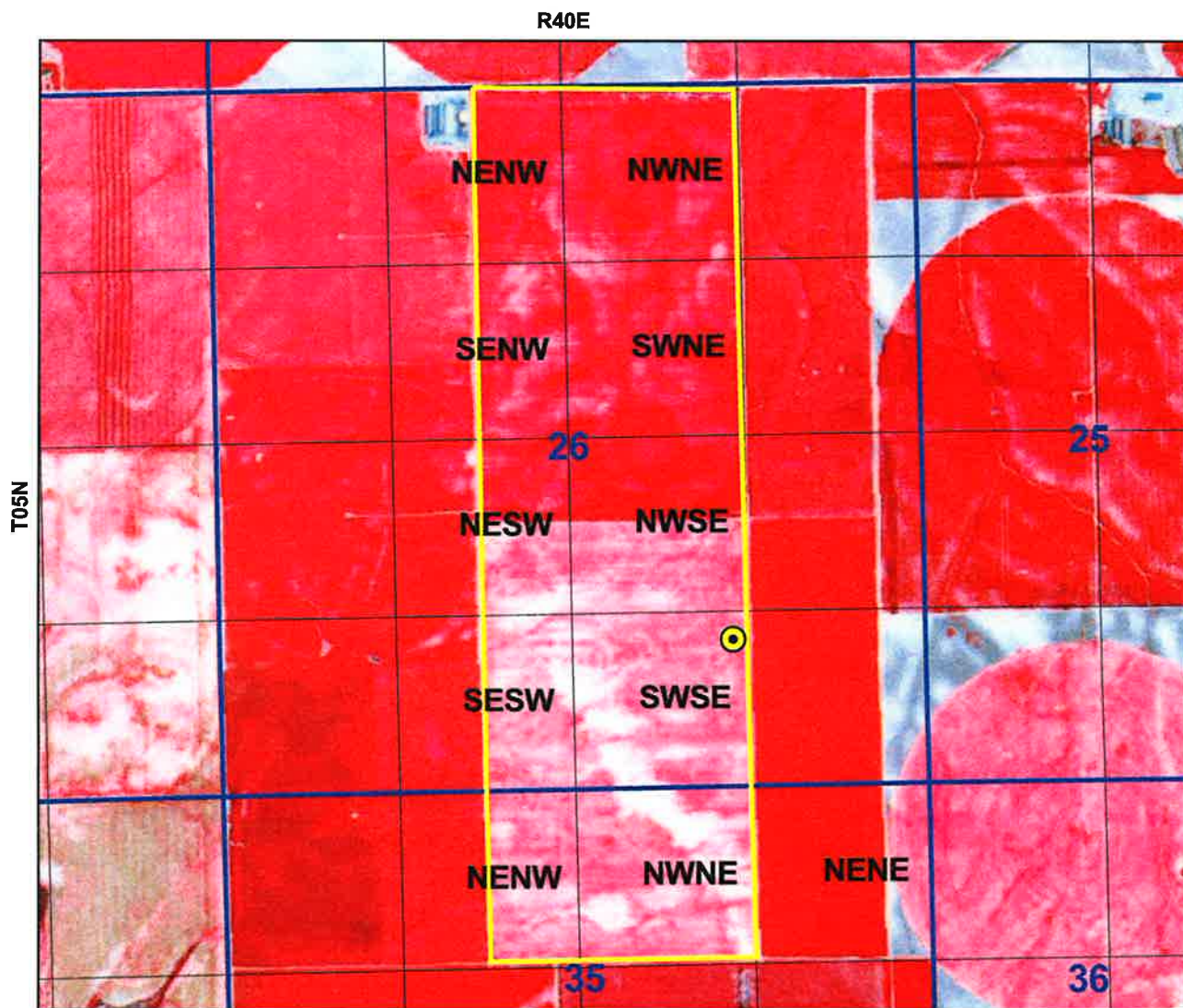
(Irrigation)

## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Madison County  
IDWR Basin 22



Prepared by E. Carlsen  
On Wednesday, September 13, 2006  
1987/88 Aerial Photography



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**EASTERN REGION**

**C. L. "BUTCH" OTTER**  
Governor

**DAVID R. TUTHILL, JR.**  
Interim Director

April 11, 2007

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

RE: Notice of Change of Water Right Ownership (NCO) for 22-2194C and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

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 )

Water Rights: 22-2194C

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party TRS – R&S WEBSTER
- ☐ I.C. § 42-222 transfer
- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> point of diversion   | <input type="checkbox"/> place of use        |
| <input type="checkbox"/> period of use        | <input type="checkbox"/> nature of use       |
| <input type="checkbox"/> split of water right | <input type="checkbox"/> change in ownership |

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

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

DATED: 4-11-07



Signature of IDWR Representative

**CERTIFICATE OF MAILING**

I certify that on April 13, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
TRS FARMS  
C/O SHANE WEBSTER  
PO BOX 671  
REXBURG ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
R & S WEBSTER ENTERPRISES LLC  
PO BOX 671  
REXBURG ID 83440

4. One copy to:

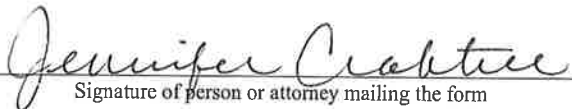
Each party in the subcase, or attorney of record  
N/A

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split(s) | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split(s) |
|-----------------------|------------------------------|----------|-----------------------|------------------------------|----------|
| 22-2194C              |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |

new  
needed

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) TRS Farms
4. New Owner/Claimant(s) R&S Webster Enterprises  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 671
- City, State and ZIP Code Rexburg, ID 83440
- New Telephone Number (208) 709-3508 359-1717
5. Date you acquired the property \_\_\_\_\_

✓  
CM 4-10-07

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 4<sup>th</sup> day of February, 2000.

GRANTOR

CORNELISON &amp; OLSEN, PARTNERSHIP

by: [Signature]  
Keith Cornelison, General Partner

by: [Signature]  
Ronald Olsen, General Partner

Microfilm No. 282400  
Day FEB 04 2000 At 1625  
MARILYN R. RASMUSSEN  
MADISON COUNTY RECORDER  
Fee \$ 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  
STATE OF IDAHO  
NOTARY -- • -- PUBLIC

Lorna - Leigh  
Notary Public for Idaho

Residing at: Jerome Co.

My Comm. Expires: 3-16-2001

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 22-2194C  
Date Received: 11/4/2005  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

R & S WEBSTER ENTERPRISES LLC Phone: (208)356-0367  
PO BOX 671  
REXBURG ID USA 83440

2. Date of Priority: 11/15/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

WELL TO MAINLINE TO PIVOTS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 1.61   | 451.5      |

7. Total Quantity Appropriated is:  
1.61 C.F.S. and/or 451.5 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 |
|----------|-------|---------|----------------|----|------------|-------|
| 05N      | 40E   | 26      | NW             | NE | IRRIGATION | 38    |
|          |       |         | SW             | NE | IRRIGATION | 39    |
|          |       |         | NE             | NW | IRRIGATION | 20    |
|          |       |         | SE             | NW | IRRIGATION | 20    |

|     |     |    |    |    |               |     |
|-----|-----|----|----|----|---------------|-----|
|     |     |    | NE | SW | IRRIGATION    | 20  |
|     |     |    | SE | SW | IRRIGATION    | 20  |
|     |     |    | NW | SE | IRRIGATION    | 40  |
|     |     |    | SW | SE | IRRIGATION    | 40  |
|     |     |    |    |    | Section Acres | 237 |
| 05N | 40E | 35 | NW | NE | IRRIGATION    | 39  |
|     |     |    | NE | NW | IRRIGATION    | 19  |
|     |     |    |    |    | Section Acres | 58  |
|     |     |    |    |    | Total Acres   | 295 |

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:

14. Remarks:

This right is limited to the irrigation of 129 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 acres in a single irrigation season.

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

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:**

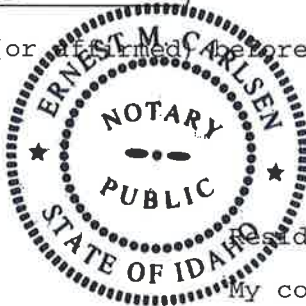
I do solemnly swear or affirm that I am Partner of  
Title  
R & S WEBSTER ENTERPRISES LLC, that I have signed the foregoing  
Organization  
document in the space below as Partner of  
Title  
R & S WEBSTER ENTERPRISES LLC and that the statements contained in the  
Organization  
foregoing document are true and correct.

Shane Webster  
Signature of Authorized Agent  
Partner R & S Webster Enterprises  
Title and Organization  
9-13-2006  
Date

State of Idaho

County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 13 of Spt. 2006



Ernest Carlson  
Notary Public  
Residing at Idaho Falls, ID.  
My commission Expires 8-14-2009.

CLASS A **IDAHO** COMMERCIAL  
DRIVER'S LICENSE

EXPIRES 11/21/2018 NUMBER **LA205697E**  
ISSUED 04/21/2004

DOB: 11/21/1957 SEX: M  
ADDR: 1370 S 2ND E  
REXBURG, ID 83440  
DATE OF BIRTH: 11/21/1957  
HEIGHT: 5'00  
WEIGHT: 150  
HAIR: BRN  
EYES: BLU

WEBSTER, ROY SHANE

*Roy Webster*

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 22-2194C  
Date Received: 11/4/2005  
Receipt No:  
Received By: *E031423*  
*NR*

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

1. Name of Claimant(s)  
TRS FARMS Phone: (208) 709-3508  
C/O SHANE WEBSTER  
PO BOX 671  
REXBURG ID USA 83440
2. Date of Priority: 11/15/1960
3. Source: GROUND WATER Trib. to:
4. Point of Diversion:  

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 05N      | 40E   | 26      | NE SW SE              | MADISON |      |
5. Description of diverting works:  
WELL TO MAINLINE TO PIVOTS.
6. Water is used for the following purposes:  

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 1.61   | 528.5      |
7. Total Quantity Appropriated is:  
1.61 C.F.S. and/or 528.5 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 |
|---------------|-------|---------|----------------|---------------|-------|
| 05N           | 40E   | 26      | NE NE          | IRRIGATION    | 30    |
|               |       |         | SE NE          | IRRIGATION    | 30    |
|               |       |         | NE SE          | IRRIGATION    | 30    |
|               |       |         | SE SE          | IRRIGATION    | 30    |
| Section Acres |       |         |                |               | 120   |
| 05N           | 40E   | 35      | NE NE          | IRRIGATION    | 30    |
|               |       |         |                | Section Acres | 30    |
| Total Acres   |       |         |                |               | 150   |
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:

14. Remarks:

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 ROB WEBSTER of \_\_\_\_\_ Title

T.R.S. FARMS, that I have signed the foregoing Organization

document in the space below as PRESIDENT of Title

T.R.S. FARMS and that the statements contained in the Organization

foregoing document are true and correct. \_\_\_\_\_ Signature of Authorized Agent

PRESIDENT Title and Organization

11-4-05 Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 11th

of Nov 2005

Allen B. Ruberry  
Notary Public

Residing at BOONE LAKE RD

My commission Expires 9/23/09



**T5N, R40E**

**22-2194C**