

09/27/2006

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

RIGHT NUMBER: 22-2252
NAME AND ADDRESS: SHAWN WEBSTER
PO BOX 457
REXBURG ID 83440

SOURCE: GROUND WATER
QUANTITY: 7.270 CFS
2,422.57 AFY

TRIBUTARY:

Right Nos. 22-2252 and 22-13535 are limited to a total combined diversion rate of 7.27 cfs and to a total combined annual diversion volume of 2766.2 AF.

PRIORITY DATE: 06/28/1965

POINT OF DIVERSION:
T05N R41E S8 NESWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/15 10/30	7.270 CFS 2,422.57 AFY
PLACE OF USE: <u>IRRIGATION Within MADISON County</u>		
T05N R41E S05 Lot 2 NWNE 9.10	T05N R41E S05 SWNE	39.00
T05N R41E S05 Lot 3 NENW 12.00	T05N R41E S05 Lot 4 NWNW	8.60
T05N R41E S05 SWNW 40.00	T05N R41E S05 SENW	40.00
T05N R41E S05 NESW 40.00	T05N R41E S05 NWSW	35.00
T05N R41E S05 NWSE 36.00	T05N R41E S05 SWSE	34.00
T05N R41E S08 NENE 6.40	T05N R41E S08 NWNE	23.00
T05N R41E S08 SWNE 34.00	T05N R41E S08 SENE	20.00
T05N R41E S08 SWNW 31.00	T05N R41E S08 SENW	32.00
T05N R41E S08 NESW 34.00	T05N R41E S08 NWSW	37.00
T05N R41E S08 SWSW 33.00	T05N R41E S08 SESW	28.00
T05N R41E S08 NESE 2.20	T05N R41E S08 NWSE	37.00
T05N R41E S08 SWSE 35.00	T05N R41E S08 SESE	0.30
T05N R41E S09 NENE 39.00	T05N R41E S09 NWNE	39.00
T05N R41E S09 SWNE 39.00	T05N R41E S09 SENE	17.00
T05N R41E S09 NENW 31.00	T05N R41E S09 SWNW	38.00
T05N R41E S09 SENW 33.00	T05N R41E S10 NWNW	3.60
T05N R41E S17 NWNE 37.00	T05N R41E S17 NENW	33.00
T05N R41E S17 NWNW 37.00		

993.2 ACRES TOTAL

This right is limited to the irrigation of 895.01 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 993.2 acres in a single irrigation season. Combined Right Nos.: 22-2252 and 22-13535.

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 No. 22-13535 is also diverted through point of diversion described above.

Right No. 22-13535 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

09/27/2006

**NOTICE OF ERROR
REPLY**

RECEIVED
OCT 18 2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-2252

SHAWN WEBSTER
PO BOX 457
REXBURG ID 83440
Telephone Number: (208)356-9598

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-18-06

SIGNATURE: Shawn Webster

Please print your name: Shawn Webster

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KWT
10/20



Idaho Department of Water Resources

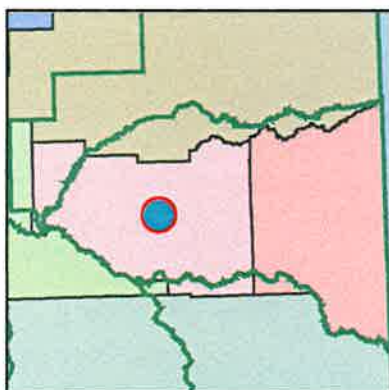
SRBA Recommendation:

22-2252

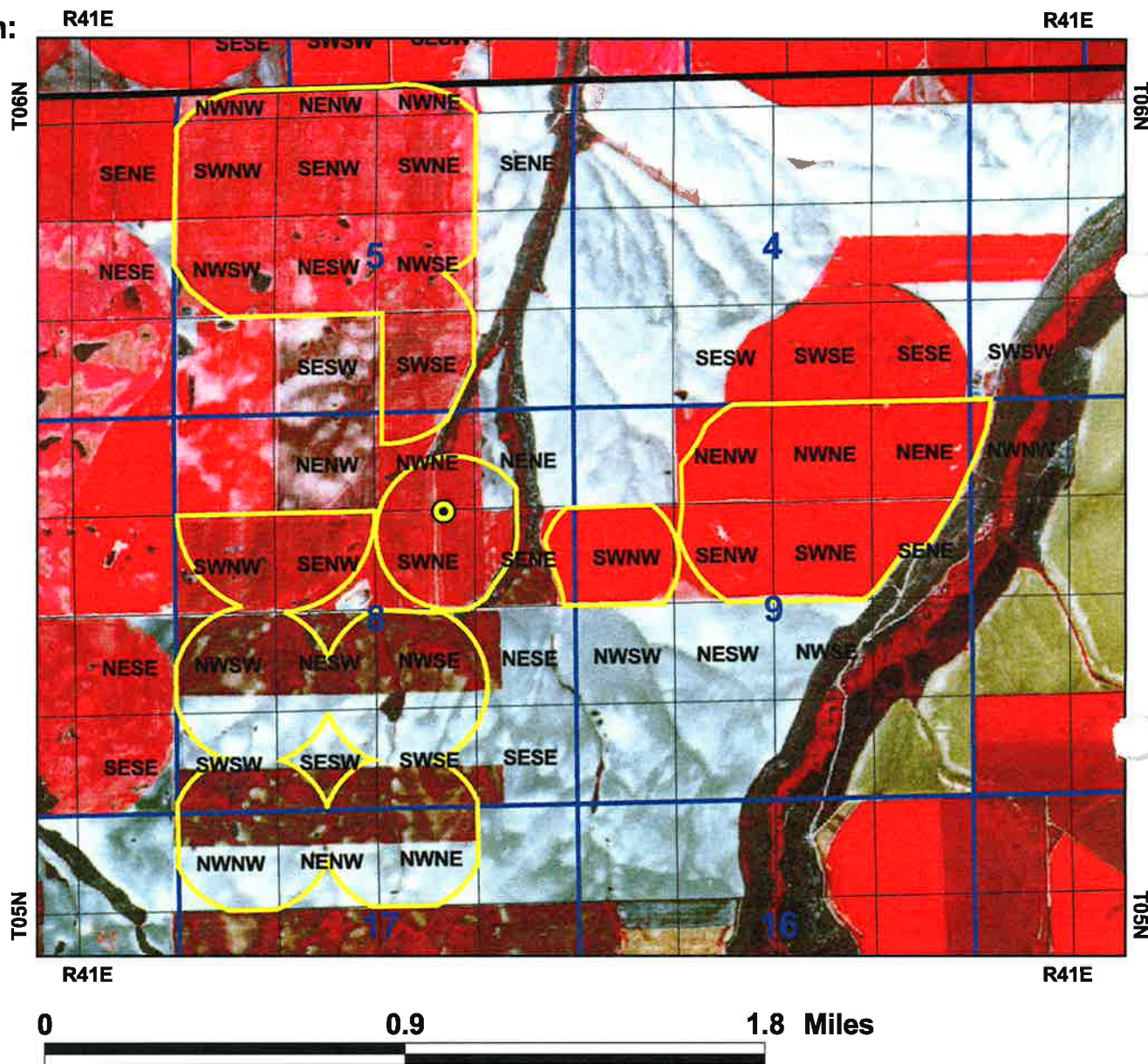
(Irrigation)

Legend

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



Madison County
IDWR Basin 22



0 0.9 1.8 Miles

Prepared by T. Galbraith
On Wednesday, September 27, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2006

SHAWN WEBSTER
PO BOX 457
REXBURG ID 83440

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-2252

Dear Mr. Webster:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) 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 listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILED

SCANNED
JAN 04 2006

OK JC
1-3-06

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

RECEIVED**NOV 03 2005**Department of Water Resources
Eastern RegionPlease 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
	A22-2252	Δ			

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)

Split 8 Farms Inc
P.O. Box 92 Rexburg, ID 83440

4. New Owner/Claimant(s)

Shawn Webster

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

New Mailing Address

P.O. Box 457

City, State and ZIP Code

Rexburg ID 83440

New Telephone Number

208 356-9598

5. Date you acquired the property

April 1999 - from Webster's Inc.

April 1987 - from Split 8 Farms

Cell phone 208-313-0972

Kevin & Janet Webster

PROFILED

SCANNED
JAN 04 2006

201163

WARRANTY DEED

GRANTORS, SPLIT 8 FARMS, INC., an Idaho Corporation whose principle address is 7718 East 3636 South, City of Rexburg, County of Madison, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto SHAWN C. and LISA ANN WEBSTER, husband and wife, of 529 East 450 South, City of Rexburg, County of Madison, State of Idaho, as GRANTEES, and to Grantees' heirs and assigns forever, all of the following described real estate located in Rexburg, Madison County, Idaho:

TOWNSHIP 5 NORTH, Range 41 East, Boise Meridian, Madison County, Idaho.

Section Five: SW1/4 SE1/4

Section Eight: S1/2 N1/2; NW1/4 NE1/4

Section Nine: S1/2 N1/2; N1/2 NE1/4; NE1/4 NW1/4; N1/2 NE1/4 SE1/4; excepting therefrom a parcel described as follows: Commencing at the Southeast corner of said tract and running thence North 300 feet; thence West 200 feet; thence South 300 feet; thence East 200 feet to the point of beginning.

Section Ten: NW1/4 NW1/4 excepting therefrom all land in Section 9 and 10 which is located East of that certain county road on the West side of Moody Canyon.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

SUBJECT TO: Mortgagee's interest of the Federal Land

241163

Bank of Spokane recorded in the records of the County Recorder of Madison County identified as Instrument Number 179495.

RESERVING AND EXCEPTING THEREFROM: a one-half interest granted to KEVIN B. and JANET WEBSTER in an irrigation well located in the NW1/4 NE1/4 of Section 8 Township 5 North Range 41 East Boise Meridian, Madison County, Idaho and a one-half interest in the water right identified as license number 32415/22-2252 with the records of the Department of Water Administration of the State of Idaho.

GRANTOR, for itself, its heirs and assigns does hereby covenant, warrant that it shall defend the quiet and peaceable possession of said premises by the GRANTEES, their heirs and assigns forever against the lawful claims of all persons.

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

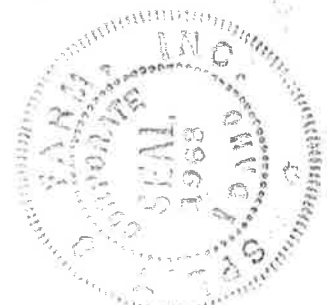
IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its name and seal to this instrument this 3rd day of April, 1987.

State of Idaho } SS 241163
 County of Madison }
 I hereby certify that the within instrument was
 filed FEB. 26 1987
 19 at 11:08 A.M. and
 recorded on Film 241163
 Fee 9.00
 by BETH B. RIESE, Recorder
 Deputy
 At the request of
 AMERICAN LAND TITLE CO., INC.

MICROFILMED

SPLIT 8 FARMS, INC.,
 Grantor

BY: Roger K. Wood
 Roger K. Wood, President



SCANNED

JAN 04 2006

WARRANTY DEED
 1397d

ATTESTED BY:

201163

Claudia Wood
Claudia Wood, Secretary

STATE OF IDAHO

)

COUNTY OF MADISON

:SS.

)

On this 3rd day of April, in the year of 1987, before me, a Notary Public in and for said State, personally appeared ROGER K. WOOD and CLAUDIA WOOD, known to me to be the President and Secretary (respectfully) of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Alan D. Kasmuss
Notary Public
Residing In: Replung
My Commission Expires: Life

CORPORATION GRANT DEED
(Like Kind Exchange)

ORIGINAL

GRANTOR, WEBSTER'S, INC., an Idaho corporation, having its principal place of business in Madison County, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, and pursuant to authority given by the Board of Directors of said corporation, does hereby GRANT and CONVEY unto WEBSTER'S MILE HIGH FARM, INC., an Idaho corporation, whose mailing address is Box 457, Rexburg, County of Madison, State of Idaho, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in MADISON County, Idaho:

SEE EXHIBIT "C" attached hereto and incorporated herein by this reference.

TOGETHER with all improvements, water, water rights, easements, hereditaments, and appurtenances thereto, and SUBJECT to such rights, easements, covenants, restrictions, and zoning regulations as appear of record or based upon the premises.

This Deed is executed pursuant to an exchange agreement between Grantor and Grantee.

IN WITNESS WHEREOF, GRANTOR has hereunto caused this Deed to be executed in its corporate name by its duly authorized corporate officer this 31st day of MARCH, 1999.

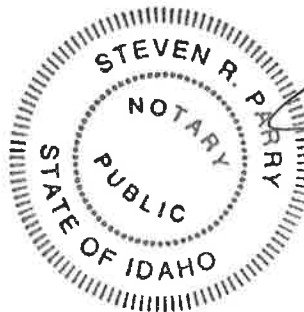
WEBSTER'S, INC.

By: Kevin B. Webster
Kevin B. Webster, President

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

On this 31ST day of March, 1999, before me, a Notary Public for the State of Idaho, personally appeared KEVIN B. WEBSTER, known to me to be the President of Webster's, Inc., the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same.

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



Steven R. Parry
Notary Public for the above State
Residing at: Idaho Falls, Id
My Commission Expires: 7/1/2003

L:\SRP\4030\WEBINC.DED.wpd

SCANNED

JAN 04 2006

EXHIBIT "C"
to CORPORATION GRANT DEED
and to the
PURCHASE AGREEMENT
AND MULTI-PARTY EXCHANGE AGREEMENT
between *Kevin, Shawn, Webster's, Mile High and Beesley*

Legal Description for *Webster's Section 8 Property.*

Township 5 North, Range 41 East, Boise Meridian:

Section 8: SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$.

LESS AND EXCEPTING: The South 680 feet of SW $\frac{1}{4}$, the South 680 feet of W $\frac{1}{2}$ SE $\frac{1}{4}$, the South 680 feet of W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 8, Township 5 North, Range 41 East, Boise Meridian.

Together with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and is subject to existing easements for roads, highways, laterals and power and transmission lines.

Microfilm No. 278081
Day APR 16 1999
At 12:23 O'clock m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 6.00 DH Deputy
Recorded At Request of
Anderson Nelson

GRANT DEED

(Like Kind Exchange)

ORIGINAL

GRANTORS, KEVIN B. WEBSTER and JANET WEBSTER, husband and wife, of Madison County, Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT and CONVEY unto WEBSTER'S MILE HIGH FARM, INC., an Idaho corporation, whose mailing address is Box 457, Rexburg, County of Madison, State of Idaho, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in MADISON County, Idaho:

An undivided Forty-Seven Percent (47%) interest in the property described in EXHIBIT "A" attached hereto and incorporated herein by this reference. The property is being conveyed subject to the Northwest Farm Credit Services, ACA Mortgage referred to in Exhibit "A" but the Grantee is not assuming the underlying debt. Rather, the underlying debt is being assumed by Shawn and Lisa Webster pursuant to a separate instrument whereby the Grantee is to be indemnified and held harmless against such debt.

TOGETHER with all improvements, water, water rights, easements, hereditaments, and appurtenances thereto, and SUBJECT to such rights, easements, covenants, restrictions, and zoning regulations as appear of record or based upon the premises.

This Deed is executed pursuant to an exchange agreement between Grantors and Grantee.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 31st day of March, 1999.

Kevin B Webster
KEVIN B. WEBSTER

Janet Webster
JANET WEBSTER

STATE OF IDAHO)

County of Bannock) ss.

On this 31st day of March, 1999, before me, the undersigned, a Notary Public for the State of Idaho, personally appeared KEVIN B. WEBSTER and JANET WEBSTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Steven R Parry
Notary Public for the above State
Residing at: Idaho Falls, Id
My Commission Expires: 7/1/2003

LASRP4030\kevinw.DED.wpd

SCANNED

JAN 04 2006

EXHIBIT "A"
to GRANT DEED
and to the
PURCHASE AGREEMENT
AND MULTI-PARTY EXCHANGE AGREEMENT
between *Kevin, Shawn, Webster's, Mile High and Beesley*

Legal Description for *Kevin's Split 8 Property.*

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

Section Five: Lots 2, 3, and 4; SE1/4 NW1/4; SW1/4 NE1/4; NW1/4 SE1/4; N1/2 SW1/4; SW1/4 NW1/4; SW1/4 SE1/4.

Section Eight: W1/2 NW1/4 NE1/4.

TOGETHER with the Grantor's one-half interest in an irrigation well located in the NW1/4 NE1/4 of Section 8, and any irrigation equipment associated therewith, including without limitation any motors, pumps and mainlines used in connection with such well.

TOGETHER with any remaining interest that Grantor has or might have in and to a 400 foot pole and metal potato cellar, a metal shop, seven metal granaries, a Quonset machinery storage building and any other improvements located on the above described property or located on the S1/2 N1/2 of Section 8, which property is already owned by Grantee.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

SUBJECT TO that certain mortgage to Northwest Farm Credit Services, ACA, dated February 20, 1992, and recorded February 24, 1992 in Madison County as Instrument No. 241128.

PURCHASE AGREEMENT AND
MULTI-PARTY EXCHANGE AGREEMENT

Microfilm No. 278079
Day APR 16 1999
At 12:19 O'clock m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 6.00 DH Deputy
Recorded At Request of
Anderson Nelson

PAGE 14

SCANNED
JAN 04 2006

GRANT DEED

(Like Kind Exchange)

ORIGINAL

GRANTORS, KEVIN B. WEBSTER and JANET WEBSTER, husband and wife, of Madison County, Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT and CONVEY unto SHAWN C. WEBSTER and LISA WEBSTER, husband and wife, whose mailing address is Box 457, Rexburg, County of Madison, State of Idaho, as GRANTEES, and to Grantees' successors and assigns forever, all of the following described real estate located in MADISON County, Idaho:

An undivided Fifty-Three Percent (53%) interest in the property described in EXHIBIT "A" attached hereto and incorporated herein by this reference. The property is being conveyed subject to the Northwest Farm Credit Services, ACA Mortgage referred to in Exhibit "A," and by separate agreement the Grantees have assumed all of such debt.

TOGETHER with all improvements, water, water rights, easements, hereditaments, and appurtenances thereto, and SUBJECT to such rights, easements, covenants, restrictions, and zoning regulations as appear of record or based upon the premises.

This Deed is executed pursuant to an exchange agreement between Grantors and Grantees.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 31st day of March, 1999.

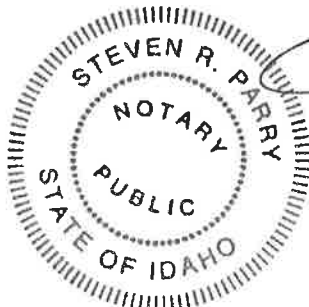
Kevin B. Webster
KEVIN B. WEBSTER

Janet Webster
JANET WEBSTER

STATE OF IDAHO)
County of Bannock)
:ss.

On this 31st day of March, 1999, before me, the undersigned, a Notary Public for the State of Idaho, personally appeared KEVIN B. WEBSTER and JANET WEBSTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Steven R. Parry
Notary Public for the above State

Residing at: Idaho Falls, Id

My Commission Expires: 7/1/2003

L:\SRP\4030\KEVINW2.DED.wpd

SCANNED
JAN 04 2006

EXHIBIT "A"
to GRANT DEED
and to the
PURCHASE AGREEMENT
AND MULTI-PARTY EXCHANGE AGREEMENT
between *Kevin, Shawn, Webster's, Mile High and Beesley*

Legal Description for *Kevin's Split 8 Property*.

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

Section Five: Lots 2, 3, and 4; SE1/4 NW1/4; SW1/4 NE1/4; NW1/4 SE1/4; N1/2 SW1/4; SW1/4 NW1/4; SW1/4 SE1/4.

Section Eight: W1/2 NW1/4 NE1/4.

TOGETHER with the Grantor's one-half interest in an irrigation well located in the NW1/4 NE1/4 of Section 8, and any irrigation equipment associated therewith, including without limitation any motors, pumps and mainlines used in connection with such well.

TOGETHER with any remaining interest that Grantor has or might have in and to a 400 foot pole and metal potato cellar, a metal shop, seven metal granaries, a Quonset machinery storage building and any other improvements located on the above described property or located on the S1/2 N1/2 of Section 8, which property is already owned by Grantee.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

SUBJECT TO that certain mortgage to Northwest Farm Credit Services, ACA, dated February 20, 1992, and recorded February 24, 1992 in Madison County as Instrument No. 241128.

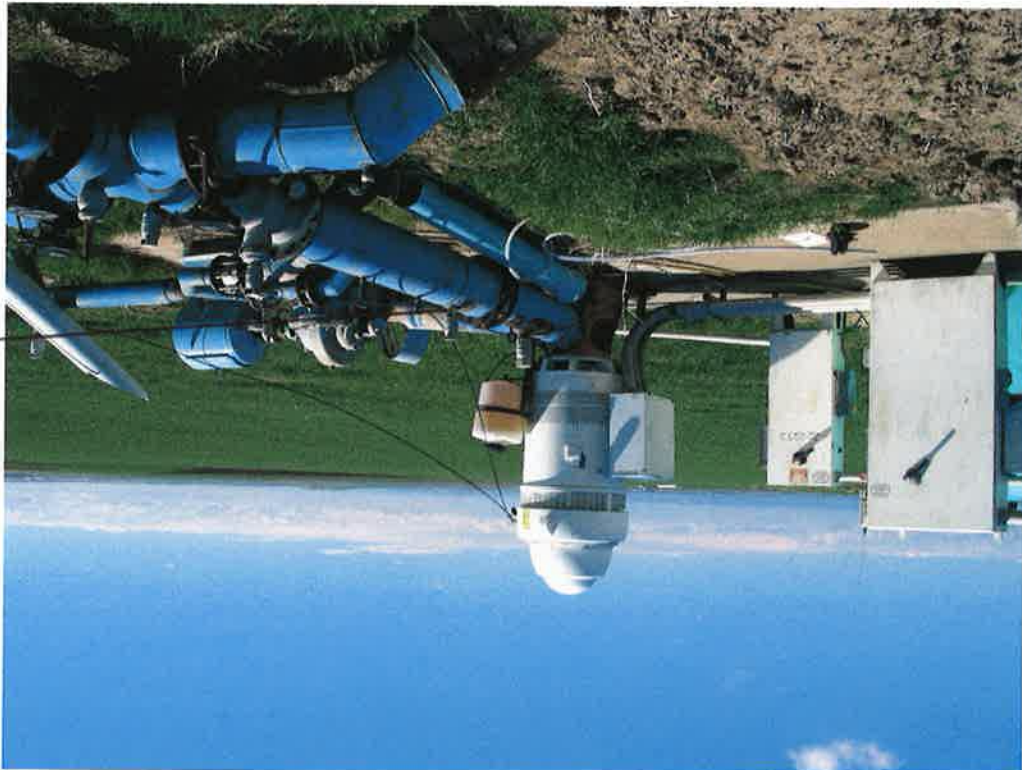
Microfilm No. 278080
Day APR 16 1999
At 12:21 O'clock m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 16.00 DH Deputy
Recorded At Request of
Anderson Nelson

SCANNED
JAN 04 2006

NOTED

SCANNED
JAN 04 2006

A2a-222, Looking North



GDS
TAG

SCANNED
JAN 04 2006

A22-2252, Motor Tag



Water Right No(s). A22-2252

See Attached Photos

GPS DATA:

Tag # A0000290 Location: on air vent on mainline
GPS datg - 2688989 GPS filr - 22252
1400492

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR / Booster / Lincoln
Make: U.S. Motors / Model: _____ Hp: 600 / 12.5hp
SN: ID# D03990 42912 / SN 4733A 1

PUMP

Make: Layne-Bowler Model: _____ Disch: _____
SN: D16935

NOTES:

New owner is Shawn Webster, P.O. Box 457, Rexburg, ID.
Cell phone is 313-0972. Change of ownership will be sent. P.O. 4
Should reflect approved transfer 3662. (See attached)

Field Exam Date: 5-11-05 Agent: RLC. Jones

SCANNED

JAN 04 2006

T5N, R41E

Part of
large
Pivot
1500' long

54
89

SWNW
Pivot

136.6

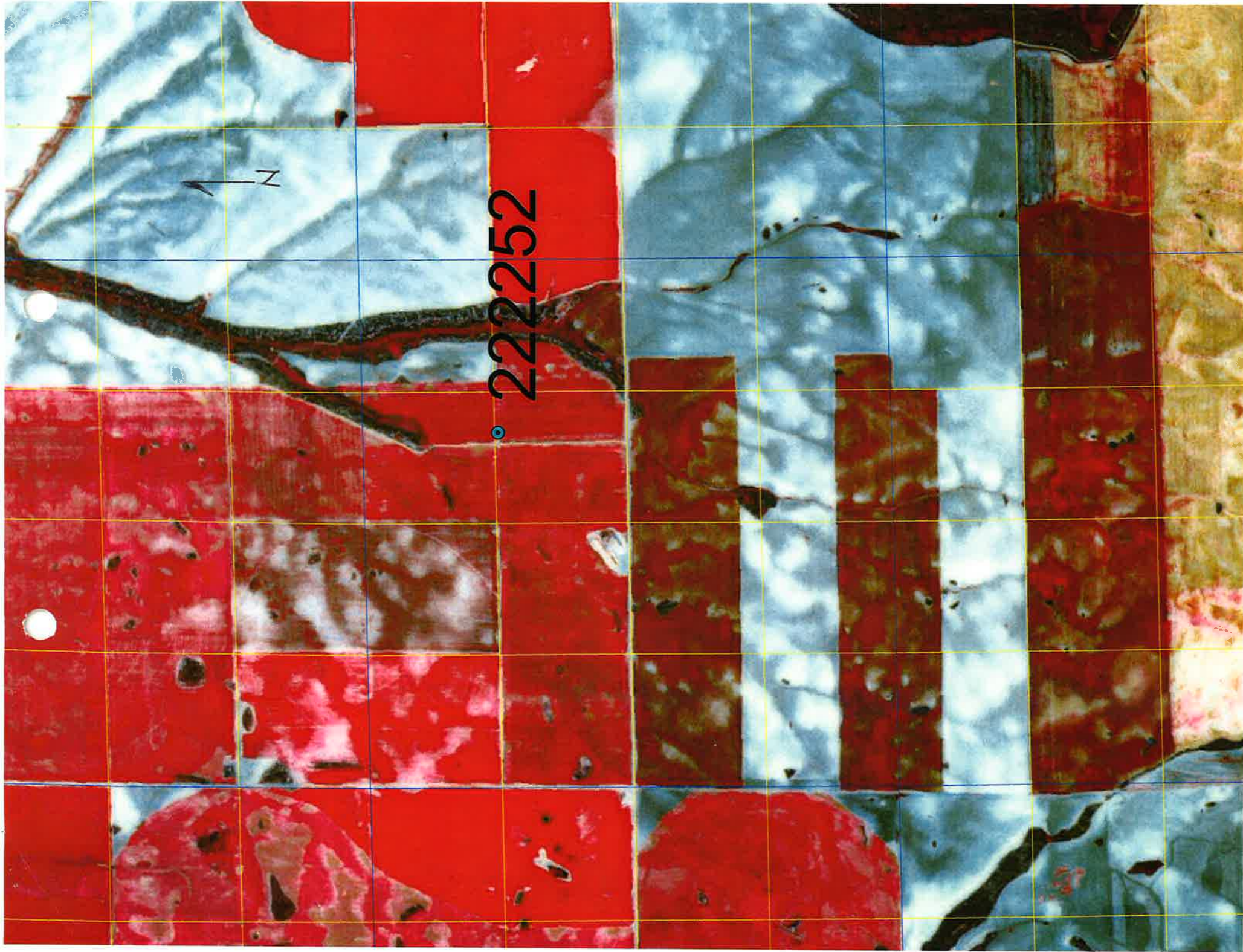
22-2252

89
17 16

Hand
lines

222252

N



Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 3662

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

APPROVED

Name of applicant Kevin or Shawn Webster Phone 356-6979
Post Office address P.O. Box 321 Rexburg, ID 83440

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes We want to irrigate more productive ground that lies south of the original place of use.

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

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------------|-----------------------|-------------------|-----------------------------|
| <u>22-02252</u> | <u>6-28-1965</u> | <u>7.27</u> | <u>Irrigation</u> | <u>5-15</u> to <u>10-30</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 7.27 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Groundwater tributary to _____
- Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	8	5N	41E	Madison	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	41E	5		8	40		6	8	40	40	20	24				24	33		243
		8		33	39	15			39	39	31	37	31	28		37	31		360
		9		37	37		37		39	37									187
		17		37			31	37											105

MICROFILMED

JUL 18 1990

Total acres 895

PART 1

6. General Information:

- a. Description of diversion system well + pump to sprinklers + pivots
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
New permit will be filed on this ground.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-2252

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. 2. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 25th day of June, 1990

A. Glen Saylor

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 22-02252 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
- ☐ Tax Notice ☐ Warranty Deed ☒ Other Contract
3. Source of water Groundwater tributary to _____
4. Date or priority June 28, 1965
5. Water is used for the following purpose:
- amount 7.27 cfs for Irrigation purposes from 5-15 to 10-30
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
6. Total amount of water under right 7.27 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	8	SN	41E	Madison	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
SN	41E	5		11.8	40			11.6	40		40	40				40	40		263.5
		6		11.6	40			11.4	39.5	40					40				182.5
		8		39	39	39			39	39									195
		9		39	40	39	18	40		39	39								254

Total acres 895

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Kenneth B. White
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of March, 19 90.

Betty J. Thompson
(Notary Public)

My commission expires 1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWJ Date 3-02-90 Protest filed by _____

Prelim. check by _____ Fee \$50.00 _____

Receipted by HWJ EOI 2203 Date 3-2-90 _____

Published in Rexburg Standard-Journal Copies of protest forwarded by _____

Pub. dates 3-15 & 22-90 Hearing held by _____ Date _____

Watermaster recommendation requested _____ Recommended for ☒ approval ☐ denial

_____ rec'd. JUL 19 1990 by RDC Gary

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT



Contacts Data Entry Form

Claim Number: 22-2252

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

Current Owner: SPLIT 8 Farms Inc. Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.LICENCED 19 April 1972 AS 7.27 cfs ON 895⁰ AC, Priority DATE
JUNE 28, 1965.TX 3662, APPROVED 25 JUNE 1990, RETAINED ORIGINAL POD BUT
MOVED POD OFF SEC. 6 ONTO SEC. 17 WITH OTHER MINOR
CHANGES TO SEC. 5, 8 AND 9. TOTALING 895⁰ AC.SRBA CLAIMS 7.27 cfs ON 969³ AC - OBVIOUS OVERCLAIM OF 74⁹ AC
RECOMMENDED FOR TX# 3662, APPROVED 1990 AS 895⁰ AC.AWAITING NOTICE OF CHANGE OF OWNERSHIP FROMSHAWN WEBSTERPO Box 457ROXBURY ID 83440Ph: 313-0992 cell

Reviewer: _____ Date: _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32415/22-2252 Priority June 28, 1965 Amount 7.27 cfs

THIS IS TO CERTIFY, that KENNETH WOOD
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 32415/22-2252 issued pursuant to Application for Permit dated June 28, 1965
and has submitted proof to the Department of Water Administration on June 7, 1968
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 7.27 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 7.27 cfs for Irrigation from May 15 to Oct. 30 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 7.27 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 Sec. 8, Twp. 5 N, Rge. 41 E, B. M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,422.57 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NW 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	41 E	5		11.86	40			11.66	40		40	40				40	40		263.52
		6	11.58		40			11.46	39.45	40					40				182.49
		8		39	39	39			39	39									195.00
		9	39	40	39	18	40		39	39									254.00

Total number of acres irrigated 895.01

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 19 day of

April, 19 72.

Director

22 2252

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

22-2252

Application No. G- 40568
Permit No. G- 32415
District No.

1. Name of Applicant: Kenneth Wood
Postoffice address: Rexburg County: Madison State: Idaho 83440
2. Quantity of water claimed: 22.52 cfs
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of Section 8, and
SW 1/4 of the NW 1/4 of Section 5
Twp. 5 N , Rge. 41 E , B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and sprinkler system
8. Estimated cost of works: \$ 50,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 22.52 cfs (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE ISSUED FOR 727 SEC. FT.
 LICENSE PAGE NO. _____

[illegible]

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Kenneth Hood
(signature)

I, JACK A. BARNETT, Deputy, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for amendment for Permit No. G-32415.

Josh A. Barnett
Deputy State Reclamation Engineer

h. 32415

ASCS OFFICE - Rexburg
SCS OFFICE - Rexburg

~~main be duplicate~~

223

Permit No. G-32415/22-2252

Examination for c/w & b/u - 22.52 cfs

County Madison

Quantity: 22.52 Sec. 8 T. 5N R. 41E

Source: ground-water

P.D.: NW 1/4 NE 1/4

Use: irrigation

~~Extension~~

~~Protect~~

~~Completion of Work~~

~~Other Rights~~

Filed: 6-28-65 Made: 6-7-68
Due: 6-28-70 Priority: 6-28-65

~~Box~~

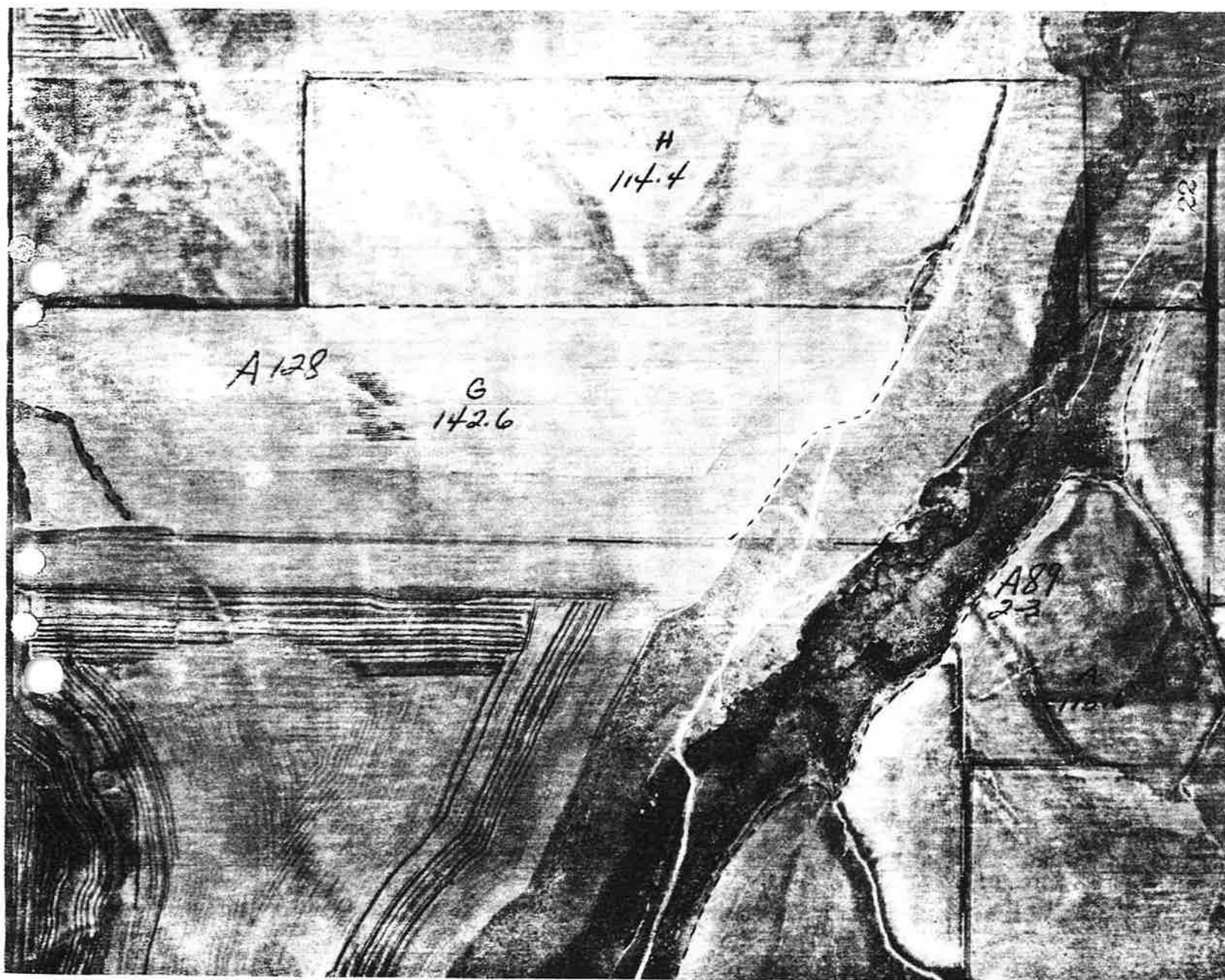
CHKD. JRS
19

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

22 2252

17 11/64 @ 50



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32415/22-2252

REPORT ON PROOF OF b/u - Kenneth Wood, Rexburg, 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02252
Date Received: 8/16/1988
Receipt No: E 001312
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPLIT 8 FARMS INC. 208-356-5027
Address: P.O. BOX 92
REXBURG, ID 83440

2. Date of Priority: JUN 28, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	41E	8	NW	NE			MADISON

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	10/30	7.270		

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

8. Total consumptive use is 1939.8 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	41E	5	NW	NE		IRR	12.0
			SW	NE		IRR	40.0
			NW	NW		IRR	12.0

A22-02252

Page 1

Date: 08/16/88

PROFILED

SCANNED
JAN 04 2006

MICROFILMED
OCT 29 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	41E	5	SW	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	264.0
		6			2	IRR	11.6
					3	IRR	11.6
			NE	NE		IRR	12.0
			SW	NE		IRR	40.0
			NW	NW		IRR	11.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	205.2
		7			3	IRR	11.7
			SE	NW		IRR	40.0
						Section Acres	51.7
		8	NW	NE		IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
						Section Acres	195.0
		9	NE	NE		IRR	39.0
			NW	NE		IRR	40.0
			SW	NE		IRR	39.0
			SE	NE		IRR	18.0
			NE	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
						Section Acres	254.0
						Total Acres	969.9

11. Place of use in counties: MADISON

A22-02252

Page

2

Date: 08/16/88

SCANNED

JAN 04 2006

MICROFILMED

OCT 29 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

GOVT. LOTS 2 AND 3, SEC. 6 - GOVT. LOT 3 AND SENW SEC. 7, T5N, R41E, WERE NOT INCLUDED IN ORIGINAL LICENSE BECAUSE IT WAS STATE PROPERTY AT THE TIME OF APPLICATION. THESE PARCELS HAVE BEEN IRRIGATED BY THE CLAIMANT FROM THE LICENSED PRIORITY DATE.

15. Basis of Claim: LICENSE
Water Right Number: 32415

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: 1

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): Split 8 Farm Inc Date: 8-16-88
by Robert Wood - pres. Date: _____

State of Idaho)
County of Bonneville) SS.

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

Seal

Betty J. Thompson
Notary Public

Residing at Idaho Falls

My Commission Expires 6-94