

09/22/2006

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

RIGHT NUMBER: 22-7071

NAME AND ADDRESS: FRANKO FARMS INC
C/O BART WEBSTER
445 MILL HOLLOW RD
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 13.350 CFS
3,077.00 AFY

The rate of diversion for the well within the NENW, Section 19, Twp. 5N,
Rge. 41E is limited to 7.38 cfs.

The rights listed below are limited to a total combined diversion rate of
18.27 cfs and to a total combined annual diversion volume of 6,625.5 AF.
Combined Right Nos.: 22-2247, 22-7071, 22-7156, and 22-13458.

PRIORITY DATE: 04/25/1973

POINT OF
DIVERSION:

T05N R40E S24 NWSWNW Within MADISON County
T05N R41E S19 SWSWNE Within MADISON County
T05N R41E S19 SENENW Within MADISON County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 11/01

13.350 CFS
3,077.00 AFY

PLACE OF USE:

IRRIGATION Within MADISON County

T05N R40E S13	NENE	27.00	T05N R40E S13	NWNE	34.00
T05N R40E S13	SWNE	37.00	T05N R40E S13	SENE	39.00
T05N R40E S13	NESE	40.00	T05N R40E S13	NWSE	37.00
T05N R40E S13	SWSE	40.00	T05N R40E S13	SESE	40.00
T05N R40E S14	NENE	14.00	T05N R40E S14	NWNE	20.00
T05N R40E S14	SWNE	40.00	T05N R40E S14	SENE	35.00
T05N R40E S14	SENW	20.00	T05N R40E S14	NESW	14.00
T05N R40E S14	NESE	40.00	T05N R40E S14	NWSE	40.00
T05N R40E S14	SWSE	28.00	T05N R40E S14	SESE	40.00
T05N R40E S23	NENE	19.00	T05N R40E S23	NWNE	7.00
T05N R40E S24	NENE	40.00	T05N R40E S24	NWNE	40.00
T05N R40E S24	SWNE	40.00	T05N R40E S24	SENE	40.00
T05N R40E S24	NENW	40.00	T05N R40E S24	NWNW	19.00
T05N R40E S24	SWNW	18.00	T05N R40E S24	SENW	40.00
T05N R41E S17	SWSW	38.00	T05N R41E S17	SESW	39.00
T05N R41E S18	NESW	37.00	T05N R41E S18 Lot 3	NWSW	29.00
T05N R41E S18 Lot 4	SWSW	40.00	T05N R41E S18	SESW	39.00
T05N R41E S19	SWNE	40.00	T05N R41E S19	SENE	40.00
T05N R41E S19	NENW	39.00	T05N R41E S19 Lot 1	NWNW	40.00

T05N R41E S19 Lot 2 SWNW	40.00	T05N R41E S19	SENW	40.00
T05N R41E S19	NESW	40.00	T05N R41E S19 Lot 3 NWSW	40.00
T05N R41E S19 Lot 4 SWSW	40.00	T05N R41E S19	SESW	40.00
T05N R41E S19	NESE	40.00	T05N R41E S19	NWSE
T05N R41E S19	SWSE	40.00	T05N R41E S19	SESE
T05N R41E S20	NENW	40.00	T05N R41E S20	NWNW
T05N R41E S30	NENE	40.00	T05N R41E S30	NWNE
T05N R41E S30	NENW	33.00	T05N R41E S30 Lot 1 NWNW	32.00

1893 ACRES TOTAL

This right is limited to the irrigation of 879 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 1893 acres in a single irrigation season. Combined Right Nos.: 22-2247, 22-7071, 22-7156, and 22-13458.

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

The following rights are also diverted through points of diversion described above: 22-2247, 22-7156, and 22-13458.

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

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that FRANKO FARMS, INC.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 12.35 cfs	3077 acre feet
	from _____	_____ cfs and	_____
	from _____	_____ cfs and	_____

Description and location of place of use:

[illegible]

The maximum combined rate of diversion from the well in the NE¼NW¼, Sec. 19, Twp. 5N, Rge. 41E, shall not exceed 7.38 cfs under this License and License No. 22-2247

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of

Director

SCANNED
JUL 20 2007

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 879

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

MAR 25 1977

1. Name of permit holder Franko Farms, Inc.
Post office address Box 323, Rexburg, ID 83440
Person to contact Bert Webster, Vice Pres.

Department of Water Resources
Eastern District Office

Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 20.18 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22-7071
b/u AMENDED
Examination for _____

4. Total amount to be appropriated:

Max Rate of Diversion 20.18 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5N N/S, Range 40E E/W, B.M., Section 24, Subdivision NW 1/4 NW 1/4, Madison County
Township " N/S, Range 41E E/W, B.M., Section 19, Subdivision NE 1/4 NW 1/4, County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4, County

Other Points of Diversions: _____

Description of diverting works: 600 hp pump 9-14R at 680', 600 hp L&B motor, 476', 20" casing
100 feet, 18" casing

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
5N	40E	13	30	40	40	40					40	35	40		265
		14	X	X	X	X			X	X	X	X	X	X	295
		22X													
		24									40	40	40	40	160
5N	41E	17								38	35				73
		18						35	35	35	35				140
		20					38	38							76
		19											X	X	

30 40 40

TOTAL ACREAGE

1009

SCANNED

JUL 20 2007

Huge DIFF. from Lic.

110
299

← Not Lic

150

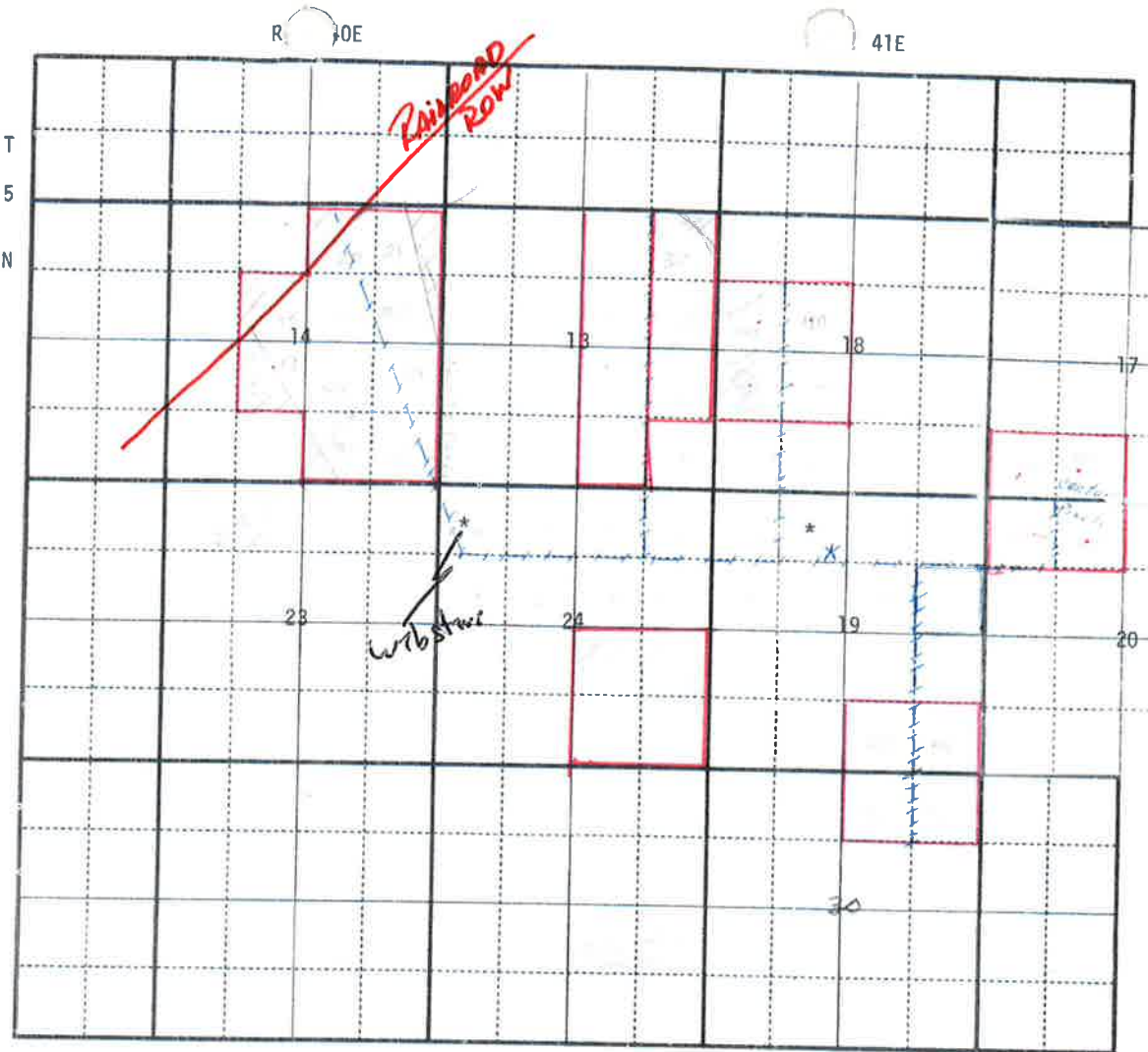
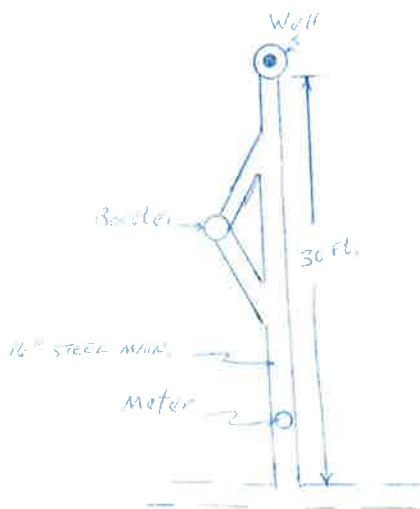


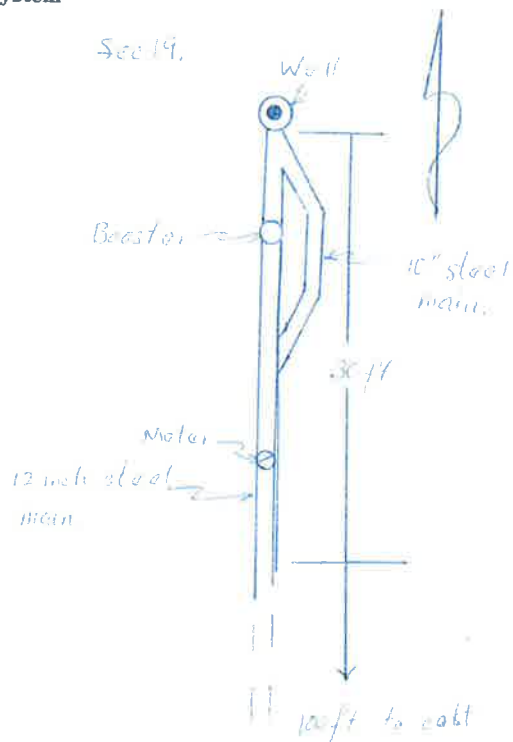
Diagram of System

See 24



ERIC
9-19-01

See 19,



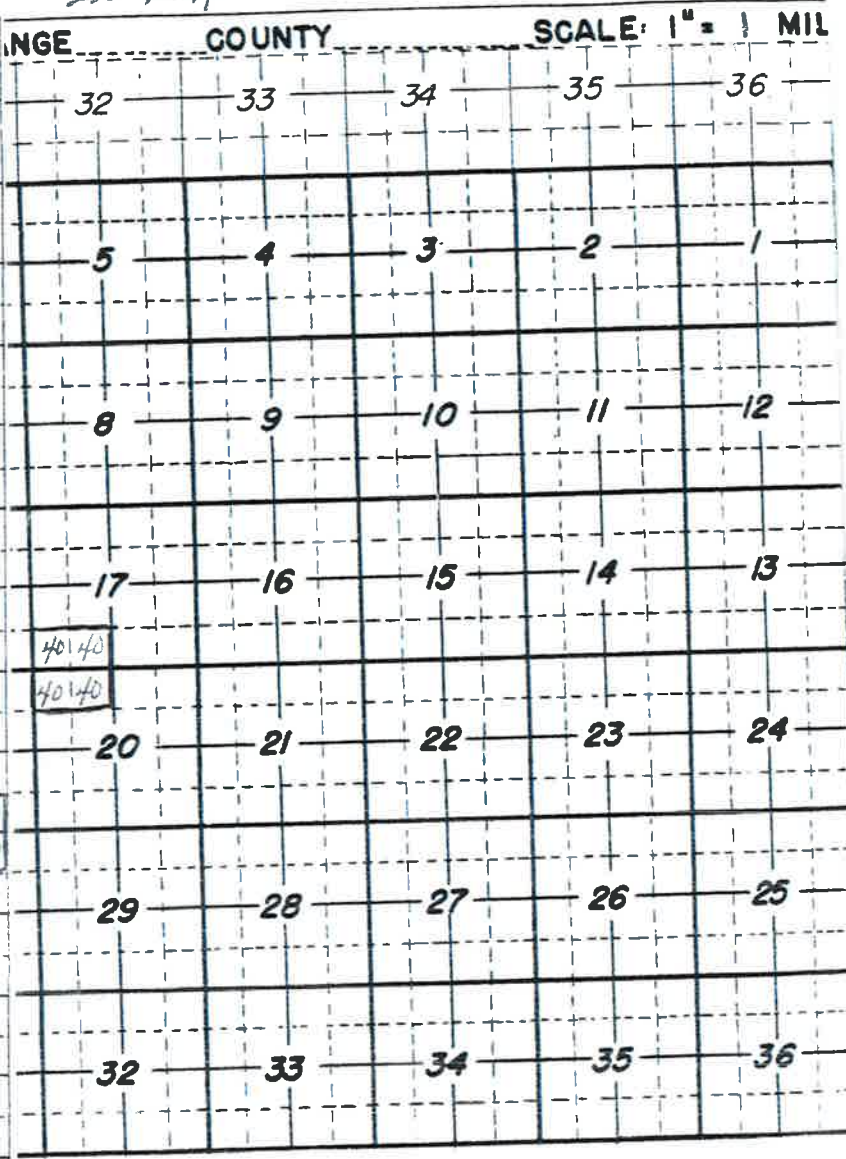
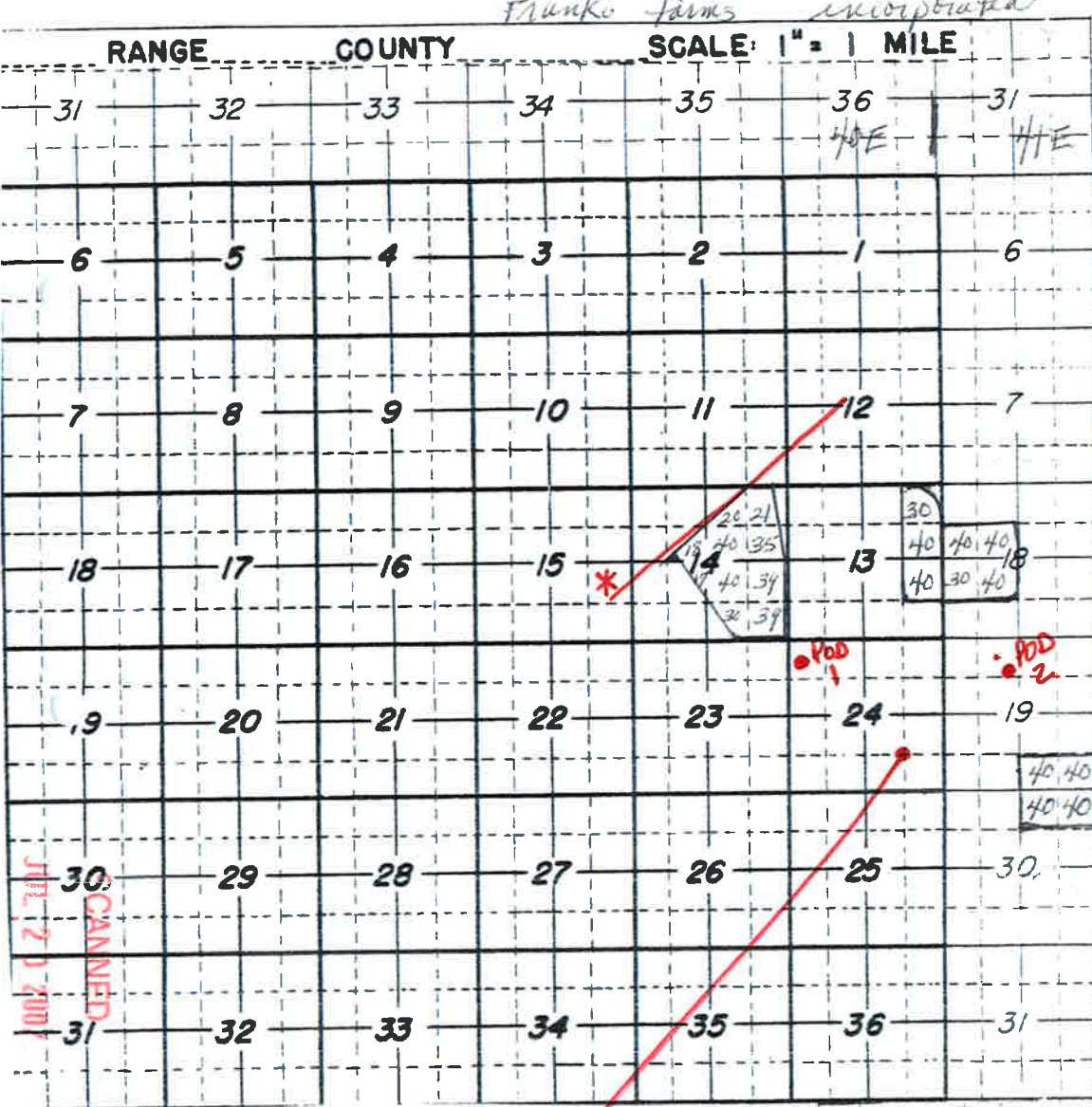
100 ft. to 200 ft.
cast lined
main line.

SCANNED

JUL 20 2007

Franko Farms incorporated

22-7071



* RAILROAD RIGHT OF WAY

NOT RECOGNIZED BY LICENSE

DATE OF EXAM 9/17/66

ACREAGE
Found 879 ac
Recommended 879 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 13.35 c.f.s. V = 3076.6 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: N/A
Twp. N/S Rge E/W B.M., Sec. _____ Sub. 1/4 1/4 County _____

Exchange? yes _____ no X

Name source exchanged with: N/A
Twp. N/S Rge E/W B.M., Sec. _____ Sub. 1/4 1/4 County _____

Point of injection: N/A
Twp. N/S Rge E/W B.M., Sec. _____ Sub. 1/4 1/4 County _____

Point of exchange: N/A
Twp. N/S Rge E/W B.M., Sec. _____ Sub. 1/4 1/4 County _____

Total Q measured 13.35 Method of measurement 1/2 LINE METER

Total Q recommended 13.35 Meter No. 7.3-16-138 Type MC Condition STD

Total V recommended 3076.5 AF/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

Sec 24 - Direct reading 2600 gpm, Timed reading = 0.1111 / 73.500 = 5.87 cfs
Sec 19 - Direct reading 3500 gpm, Timed reading = 0.1111 / 59.300 = 7.38 cfs

$V = 3.5 \times 879 = 3076.5$ $13.35 \times 215 \times 1.9435 = 5693.14$ APPLY CH 19-11

SYSTEM DESCRIPTION:

Sec 24 - 600 HP - G.E. Motor no #17 plate 1/2 Layne & Bowler pump serial #300724;
200 HP - G.E. Booster motor, 3 phase, serial number 553726108 1/2 Layne &
Bowler pump serial #505729.

Sec 19 - 700 HP - Westinghouse 3 phase motor serial #15-75 1/2 Layne & Bowler pump
serial #012216; 200 HP - G.E. 3 phase motor, serial #8AT-17190 1/2 Layne &
Bowler pump serial #0112215. Pumps supply water for 20 1/2 mile hand lines 1/2

REMARKS: 1/2 no 22015 1/2 one 4 mile center pivot. in circle 110' 12 GV. 100' serial #540.
System described by Bart Webster - no photo or sketch available.
Well in Sec 19 also covered by L# 22-2247.
No measuring device on well in Sec 19. Meter installed 7/3/77.

Examiner's Signature Ernest M. Carlson Date 9-19-77

Checked by Anthony R. Kozlowski Date 9/22/77

Approved by _____ Date _____

SCANNED

JUL 20 2007

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: A22-07071
Date Received: 7/19/1988 8-24
Receipt No: E001761 / E001719
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANKO FARMS INC. 208-356-6611
Address: C/O FRANK WEBSTER
P.O. BOX 323
REXBURG, ID 83440

2. Date of Priority: APR 25, 1973

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	24	SW	NW	NW		MADISON
	41E	19	NW	SW	NE		MADISON
			SE	NE	NW		MADISON

5. Description of diverting works:
3 WELLS PUMP INTO COMMON SYSTEM TO IRRIGATE ENTIRE FARM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	13.350		

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

8. Total consumptive use is 2197.5 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	13	NE		NE		IRR	30.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			Section Acres 190.0					
		14	NE		NE		IRR	21.0
			NW		NE		IRR	20.0
			SW		NE		IRR	40.0
			SE		NE		IRR	35.0
			SE		NW		IRR	18.0
			NE		SW		IRR	17.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	30.0
			SE		SE		IRR	39.0
			Section Acres 299.0					
41E		17	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres 80.0					
		18	NE		SW		IRR	40.0
			NW		SW		IRR	30.0
			Section Acres 70.0					
		19	SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 80.0					
		20	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres 80.0					
		30	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			Section Acres 80.0					
			Total Acres 879.0					

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:

LIC. 22-2247/22-07156/A22-07418B SAME POD

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. 22-2247 SHALL NOT EXCEED 7.38 CFS FROM THE WELL IN THE NENW, S19, T5N, R41E.

BY AGREEMENT FRANKO FARMS LEASES 80 ACRES IN S1/2 NW1/4 SEC. 18 T5N R41E TO JOHN SMITH WHO WATERS LAND FROM HIS OWN WELL UNDER CLAIMED RIGHT A22-07418A. FRANKO FARMS INC. INTURN LEASES 80 ACRES IN THE W1/2 SE1/4 SEC 13 T5N R40E AND WATERS THIS WITH THEIR OWN WELLS AS DESCRIBED IN THIS CLAIM.

15. Basis of Claim: LICENSE

(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.

SCANNED
JUL 20 2007

MICROFILMED
OCT 29 1992

152

OCT 19 1942

UNCLASSIFIED

23

24

A22-07071

-879-

-160

R40E

R41E

LEASED
GROUND

18

17

19

20

21

30

26

25

JUL 2 11 2003