

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

KEVIN B WEBSTER
4161 E 421 N
RIGBY ID 83442

TRIBUTARY:

The rights listed below are limited to a total combined diversion rate of 4.59 cfs and to a total combined annual diversion volume of 1781.5 AF. Combined Right Nos.: 22-7136 and 22-10972.

POINT OF DIVERSION:

T06N R41E S31 NWNENE Within MADISON County

PURPOSE OF USE
IRRIGATION

<u>PERIOD OF USE</u>	
04/15	10/15

<u>QUANTITY</u>
4.590 CFS
1,526.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

T06N	R41E	S31	NENE	40.0	T06N	R41E	S31	NWNE	26.0
T06N	R41E	S31	SWNE	40.0	T06N	R41E	S31	SENE	40.0
T06N	R41E	S31	NENW	0.1	T06N	R41E	S31	SENW	20.0
T06N	R41E	S31	NESW	40.0	T06N	R41E	S31 Lot 3	NWSW	20.0
T06N	R41E	S31 Lot 4	SWSW	38.0	T06N	R41E	S31	SESW	29.0
T06N	R41E	S31	NESE	40.0	T06N	R41E	S31	NWSE	40.0
T06N	R41E	S31	SWSE	34.0	T06N	R41E	S31	SESE	30.0
T06N	R41E	S32	NWNW	39.0	T06N	R41E	S32	SWNW	32.9

The rights listed below are limited to the irrigation of a combined total of 509 acres in a single irrigation season. Combined Right Nos.: 22-7136 and 22-10972.

This right is limited to the irrigation of 436 acres within the place of use described above in a single irrigation season.

11/15/2005

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

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. 22-10972 is also diverted through point of diversion described above.

Right No. 22-10972 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

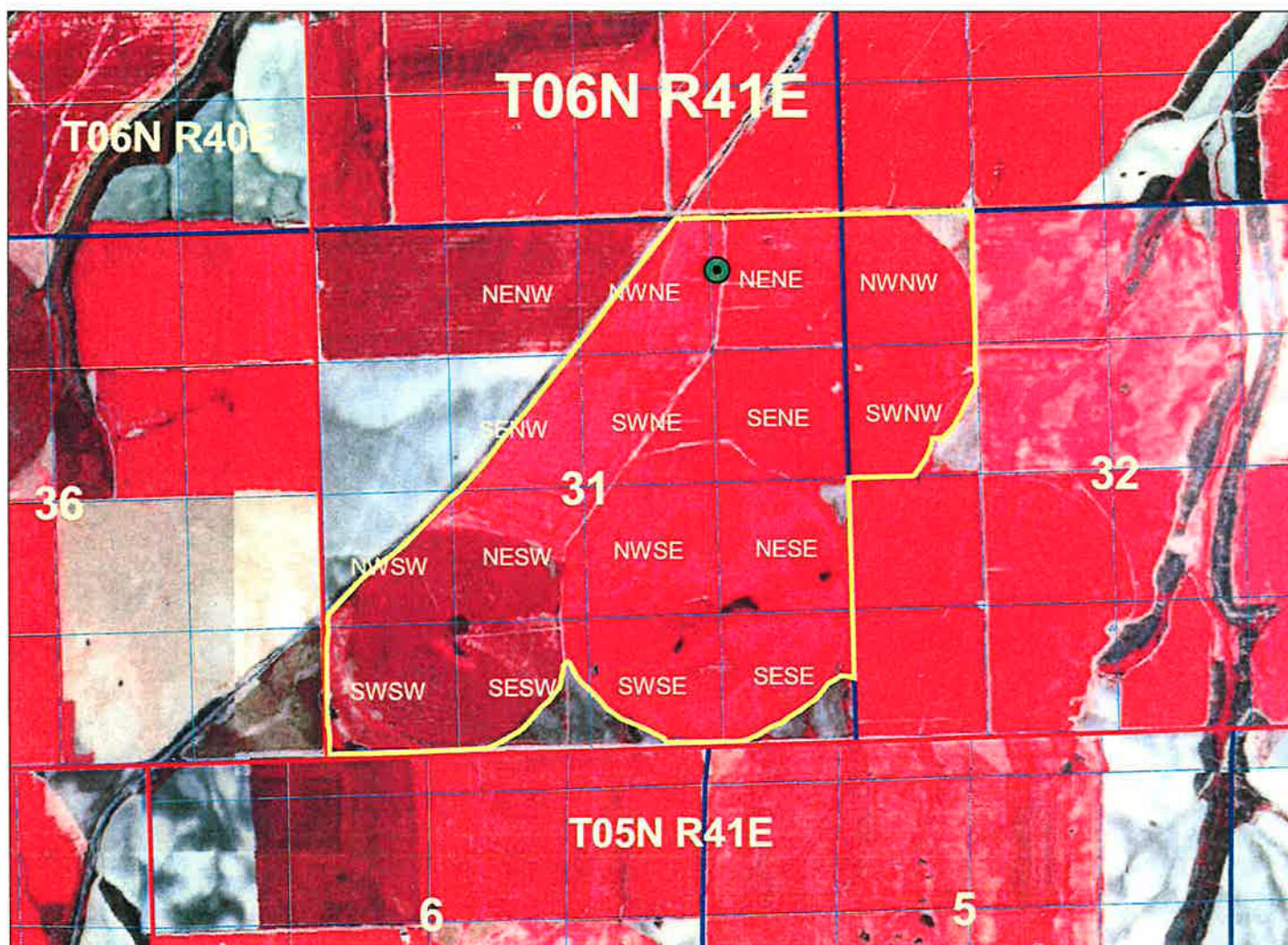
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Department of Water Resources

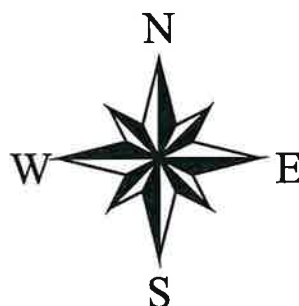
Eastern Region



Claim No.: 22-7136 & 22-10972



0 1320 2640 Feet



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: November 2005

09/08/2006

**NOTICE OF ERROR
REPLY**

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: 22-7136

JANET WEBSTER
4161 E 421 N
RIGBY ID 83442
Telephone Number: (208)745-1594

KEVIN B WEBSTER
4161 E 421 N
RIGBY ID 83442
Telephone Number: (208)745-1594

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: *Kevin Webster*
Please print your name: Kevin Webster

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

Kao
11/9

NOTES

11-10-05

An enlargement claim was filed under 72-10977 for an additional 73 ac. Because they claim a priority date of 1975, additional water cannot be recommended above what is licensed under 72-7131a. (past 1963 for groundwater)
Recommending a total POW of 509 ac. w/ limit of 4.59 cfs per the license.
and 1781.5 AFA

Water Right No(s). A2210972 + A22-7136

See Attached photo

GPS Data - 2687950
1403636

GPS File # 227136

GPS DATA:

Tag # A0015960 Location: on roof support post

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: GE Model: _____ Hp: 400

SN: HKJ814015 Booster - 150hp Marathon Motor - Aurora pump
SN - 0J95626-6727

PUMP

Make: Aurora Model: _____ Disch: _____

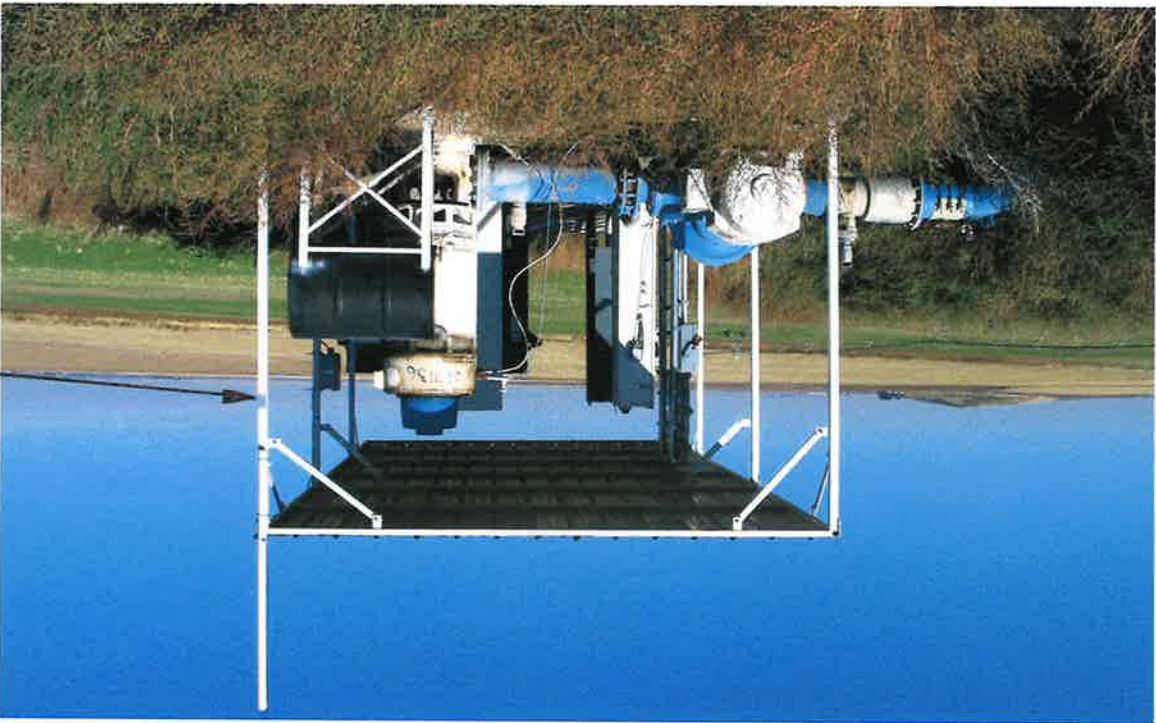
SN: None

NOTES:

Original P.O.U. of 22-7136 modified on claim (accomplished transfer?).
A22-10972 filed as enlargement of gens irrigated east of RR tracks
from this well in MENE Sec 31. This does not look like enlargement
of 22-2187. Kevin Webster said affidavit of priority filed on 22-10972
but I could not find it. New address for Kevin Webster - 4161 E. 421 N.
Risby, ID 83442

Field Exam Date: Sept 29, 2005 Agent: H.W. Jones

phone 745-1594



A22-7136 v A22-10972, Looking SW

06N41E31

A22-7136

A22-10972

Rail Road Tracts

Township 06N Range 41E Section 31, 32



Notes:



Water Right #: 2207136

Examiner

Date:



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

April 30, 1999

KEVIN & JANET WEBSTER
PO BOX 321
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-07136,
A22-10972

Dear Mr. & Mrs. 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 Hoagland
Technical Records Specialist

Enclosure

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7136 Priority June 24, 1975 Amount 4.59 cfs

THIS IS TO CERTIFY, that BEESLEY FARM, INC.
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7136 issued pursuant to Application for Permit dated June 24, 1975,
and has submitted proof to the Department of Water Resources on July 18, 1977,
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 4.59 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
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u> at <u>4.59</u> cfs and <u>1526</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 4.59 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1526 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, Twp. 6N,
Rge. 41E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWA				SW $\frac{1}{2}$				SE $\frac{1}{2}$				Totals
			NEW	NWA	SW $\frac{1}{2}$	SE $\frac{1}{2}$	NEW	NWA	SW $\frac{1}{2}$	SE $\frac{1}{2}$	NEW	NWA	SW $\frac{1}{2}$	SE $\frac{1}{2}$	NEW	NWA	SW $\frac{1}{2}$	SE $\frac{1}{2}$	
6N	41E	31	39	16	23	40					40	19	26	28	40	33	33	33	370
		32						33	33										66

Total number of acres irrigated 436

This right when combined with all other rights shall provide no more than 3.5 afa
per acre for the lands above.

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 27 day of
February, 19 81.


Director

nm

DET

WICKERFIELD

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

1. Name of permit holder Beesley Farm, Inc. AUG 10 1977
Post office address 256 East First North, Rexburg, ID 83440 Department of Water Resources
Eastern District Office
Person to contact David G. Beesley Phone 856-1972

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

3. Water will be used for the following purposes:

Amount 8.96 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 15 to Oct. 15
_____ (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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 8.96 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 41E E/W, B.M., Section 31, Subdivision NE 1/4 NE 1/4, Madison

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: 400 hp turbine 14" bowles pump set 490' 500' 16" casing & well
1 1/2 miles buried mainline 3 pivot sprinkling systems and 6 1/4 mile handlines

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
6N	41E	31	40	16	23	40					7	8	40	40	40	34	40	40	368
		32						40	40										80

TOTAL ACREAGE

448

Permit No. 22-7136
Examination for b/u

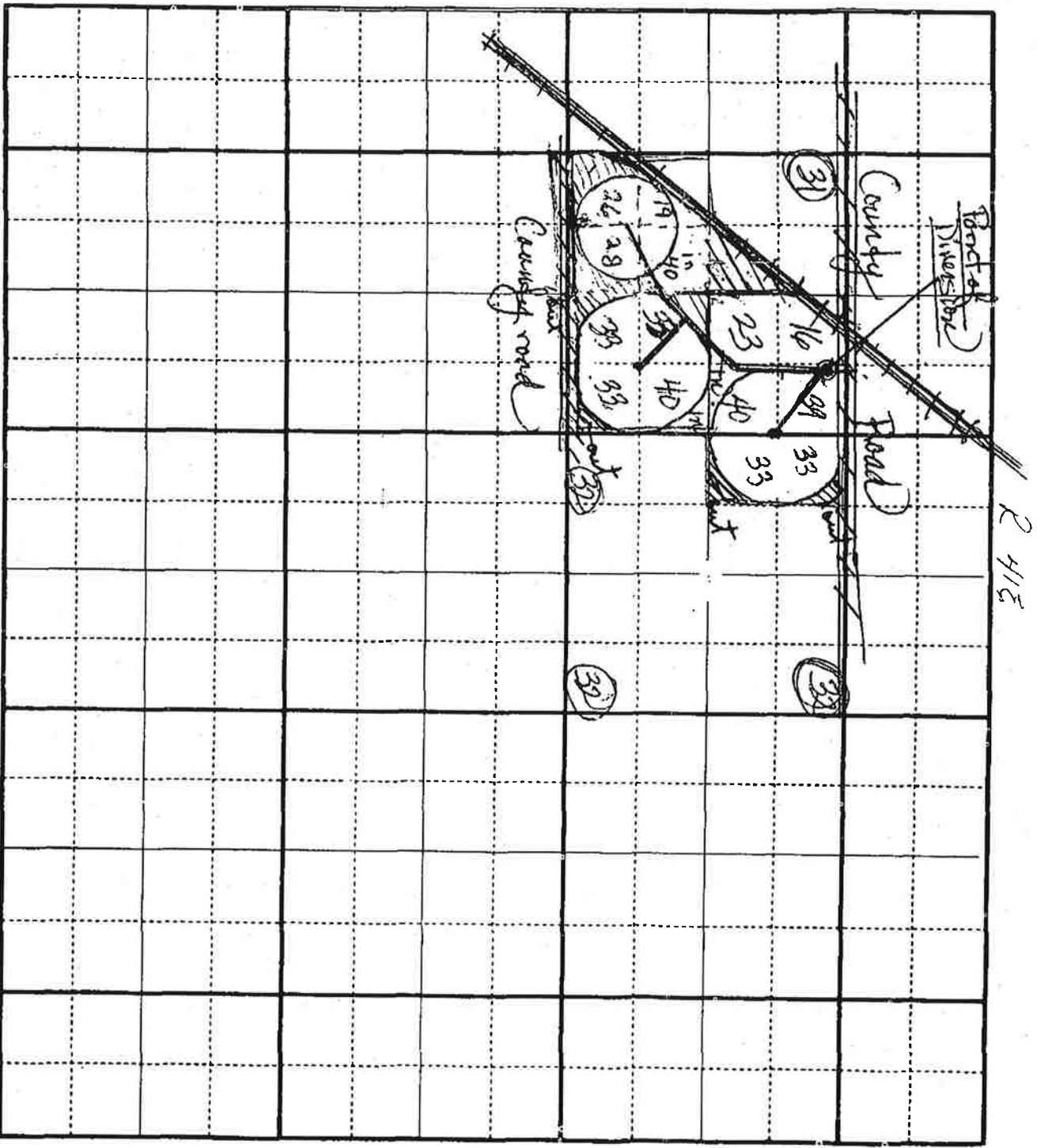
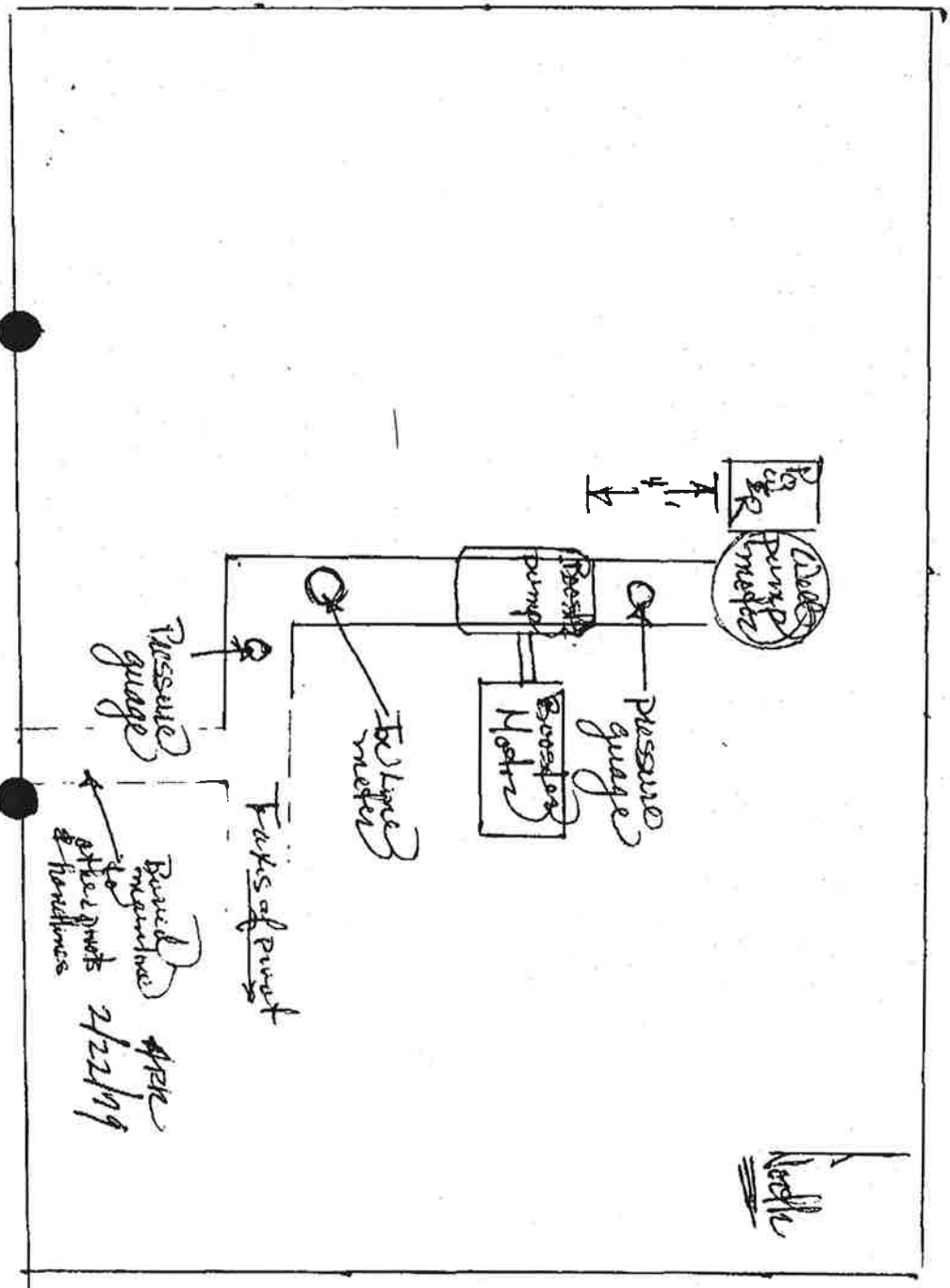


Diagram of System



DATE OF EXAM 8/12/78

ACREAGE
Found 4361 ✓
Recommended 4360 ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.59 c.f.s. V = 1526 AF/Ann. from April 15 to Oct 15
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 4.59 Method of measurement In line meter

Total Q recommended 4.59 Meter No. 76-10-200 Type Flowmeter Condition good

Total V recommended 1526 Aff/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None (circled)

MEASUREMENT CALCULATION:

measured .01 ft in 95 sec, $435.6 \text{ cu ft} \div 95 \text{ sec} = \text{4.59 cfs}$ capacity

$V = 43600 \times 3.5 \text{ Aff/yr} = 1526 \text{ Aff/yr} < 1.9835 \text{ Aff/yr} \times 4.59 \text{ cfs} \times 185 \text{ days} = 1684.3 \text{ Aff/yr}$

SYSTEM DESCRIPTION:

Groundwater is diverted by a 400 H.P. 3ph. General Electric tri-d induction pump motor mfr 5K6318 AC 72A s/n - HKI 814015 with a 6 stage Aurora vertiline turbine pump s/n - 37572630 - Boostersystem consists of a 125 H.P. Marathon 3ph pump motor mfr 405TSTD59026ED5-W s/n - DJ96526 8-27-3 with an Aurora centrifugal pump s/n - 74-17407 type H/BF. Buried 10" steel mainline runs to the

REMARKS: axis of 3 center pivot sprinklers. Several handline sprinklers are used to back up corners indicated on diagram. All 3 center pivots are Gifford 400' 300's which have a watering radius of 1300' including wind up track. Rocky area near railroad (shown in sec 14) not included. System shown operated & described by David Beesley

Examiner's Signature Anthony R. Kozlowski Date 2/22/79

Checked by John Dale Carlson Date 2/28/79

Approved by John Date 2/4/81

Overlap with 22-2187, 66 acres still under 1 in. per acre.

<See back>

Overlap Review for licensing 22-7131

22-2187 Groundwater, different well

Overlapping tracts & acres are:

T6N R41E Sec. 31 NWNE(21), SWNE(15), NESW(39),
NWSW(35), NWSE(8).

$$\frac{3.90 \text{ d/s}}{526 \text{ AC}} = .0074 \text{ d/s/AC}$$

This right

22-7136

$$\frac{4.59 \text{ d/s}^{\text{CAPACITY}}}{436 \text{ AC}} = .010 \text{ d/s/AC}$$

$$22-2187 \quad .0074 \text{ d/s/AC}$$

$$22-7136 + .010 \text{ d/s/AC}$$

$$\text{Total} \quad .0174 \text{ d/s/AC}$$

Although both rights overlap there is still less than
.02 d/s/AC. AF should be limited to 3.5 AFA

RA 2/4/81

Do not overlap.
KM

DELOG EV 4-22-99
OK SR

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

APR 22 1999

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

1. Water Right Number(s) A22-07136 and A-22-10972
Adjudication Claim Number(s) _____
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 for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Beesley Farms Inc.
P.O. Box 154, Rexburg, ID 83440
4. New Owner/Claimant(s) Kevin B. Webster Janet Webster
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 321
City, State and ZIP Code Rexburg, ID 83440
New Telephone Number (208) 356-6979
5. Date you acquired the property 3-31-99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 509 Number and type of stock _____
Diversion rate in CFS 5.36 Number of homes _____ Other uses _____
cubic feet per second
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.
7. Signature of New Owner/Claimant(s) Kevin B. Webster Date 3-31-99
Janet Webster Date 3-31-99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

M-26126-4

WARRANTY DEED

For Value Received **Beesley Farm, Inc.**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Kevin B. Webster and Janet Webster, husband and wife

whose address is: **P. O. Box 321 Rexburg, Id 83440**

Hereinafter called the Grantee, the following described premises situated in Madison County, Idaho, to-wit:

TOWNSHIP 6 NORTH, RANGE 41 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO

SECTION: 31: All that portion of said Section lying South and East of Union Pacific Railroads Snake River Belt Line Right-of-way traversing said section.

SECTION: 32: W1/2NW1/4

Together with all water rights & irrigation equipment appurtenant to said lands or used in connection therewith, including but not limited to water claim no. A22-07136 & no. A22-10972,(including to the extent applicable under A22-10972, any portion of A22-02187 assigned to the foregoing land and any expansion claim therefrom all as set forth in the Remarks section of A22-10972); 400 HP motor and 150 HP booster; 3 Gifford-Hill circles & 5 1/4 mile handlines;

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: **March 31, 1999**

Beesley Farm, Inc.

Charles Richard Beesley
BY: **Charles Richard Beesley, President**

Paul L. Beesley
Paul L. Beesley, Sec./Treas.

STATE OF IDAHO)
 : ss
COUNTY OF Madison)

On This 31st day of March, in the year 1999, before me, a Notary Public in and for said State, personally appeared Charles Richard Beesley and Paul L. Beesley, known or identified to me to be the President and Secretary/Treasurer 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.



Marilyn J. Fife

Notary Public of Idaho
Residing at Rexburg, Idaho
Commission Expires: 5/13/2000

Microfilm No. 277762
Day MAR 31 1999
At 1445 O'clock m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ Deputy
Recorded At Request of
First American Title Company

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7136 Priority June 24, 1975 Amount 4.59 cfs

THIS IS TO CERTIFY, that BEESLEY FARM, INC.
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7136 issued pursuant to Application for Permit dated June 24, 1975,
and has submitted proof to the Department of Water Resources on July 18, 1977,
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 4.59 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 15</u> to <u>October 15</u>	at <u>4.59</u> cfs and	<u>1526</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 4.59 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1526 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, Twp. 6N,
Rge. 41E, 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 $\frac{1}{4}$				SE $\frac{1}{4}$				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 $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	41E	31	39	16	23	40					40	19	26	28	40	33	33	33	370
		32						33	33										66

Total number of acres irrigated 436

This right when combined with all other rights shall provide no more than 3.5 afa
per acre for the lands above.

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 27 day of
February, 19 81.

Director

MICROFILMED

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: A22-07136
Date Received: 9/28/1988
Receipt No: E002728
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KEVIN B WEBSTER
Address: PO BOX 321
REXBURG ID

208-356-6979

83440

OR

Name: JANET WEBSTER
Address: PO BOX 321
REXBURG ID

208-356-6979

83440

2. Date of Priority: JUN 24, 1975

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	31	NE	NE	NE		MADISON

5. Description of diverting works:

WELL, 600' DEEP, 400 HP MOTOR, 150 HP BOOSTER, 3 PIVOTS, HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.590		

7. Total Quantity Appropriated is:

4.590 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	31	NE	NE		IRR	39.0

A22-07136

Page

1

Date: 04/23/99

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	41E	31	SW		NE		IRR	9.0
			SE		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	19.0
			SW		SW		IRR	38.0
			SE		SW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0
			Section Acres					366.0
		32	NW		NW		IRR	37.0
			SW		NW		IRR	33.0
			Section Acres					70.0
			Total Acres					436.0

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:
NOT CHECKED

14. Remarks:
*** CHANGE OF OWNERSHIP FILED 4/22/99, ESV

15. Basis of Claim: LICENSE

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-07136
Date Received: 8/17/1988
Receipt No: E002728
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEESLEY FARMS, INC. 208-356-9726
Address: P.O. BOX 154
REXBURG, ID 83440

2. Date of Priority: JUN 24, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	41E	31	NE	NE	NE		MADISON

5. Description of diverting works:
WELL, 600' DEEP, 400 HP MOTOR, 150 HP BOOSTER, 3 PIVOTS, HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.590		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	41E	31	NE	NE		IRR	39.0
			SW	NE		IRR	9.0
			SE	NE		IRR	40.0
			NE	SW		IRR	40.0

A22-07136

Page 1

Date: 09/29/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	31	NW	SW		IRR	19.0
			SW	SW		IRR	38.0
			SE	SW		IRR	35.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	33.0
			SE	SE		IRR	33.0
			Section Acres				366.0
		32	NW	NW		IRR	37.0
			SW	NW		IRR	33.0
			Section Acres				70.0
			Total Acres				436.0

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:
NOT CHECKED

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 39356
Ident. Number A22-07136
Date Received 17 Aug 1988
Receipt Number E002728

A2207136



NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Bensley Farm Inc. Phone (208) 356-9726
Mailing Address P.O. Box 154 Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) June 24, 1975

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6N Range 41E Section 31,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well - 600' depth - 400 HP motor
150 HP Booster - 1 1/2 mi buried steel main line
3 pivots - hand lines

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 4.59 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.59 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	41E	31	39		9	40					40	19	38	35	40	40	33	33	366
		32						37	33										70

Total number of acres irrigated 436

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

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NOV 06 1996

Last Name

Beesley Farm Inc

Ident No.

A22-07136

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-7136
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
Title
of Bersley Farm Inc. , that I have signed the foregoing
Organization
document in the space below as President of Bersley Farm Inc.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard Bersley
Title and Organization Pres Bersley Farm Inc. Date 8/17/88

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17 day of Aug 1988

SEAL

Notary Public Ernest Calver

Residing at Idaho Falls, ID

My Commission Expires 14 June 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number 422-07136

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NOV 06 1996

Copies White-State, Yellow-Claimant

A22-10973

House

A22-10974

A22-07021

A22-02187

A22-10971

A22-10972

A22-07136

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NOV 15 1986

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Beesley Farms, Inc CLAIM DENT. NO. A22-07136
DATE RECEIVED 8-17-88 CK # 108 AMOUNT \$ 335⁰⁰

	YES	NO
1. Is the name and address complete with zip code? . . . <u>7 claims payment plan</u>	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required) N/A <u>✓</u>	☐	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered? N/A <u>✓</u>	☐	☒
Is the consumptive use correct? N/A <u>✓</u>	☐	☒
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.	☒	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" checked?	☐	☒
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>✓</u>	☐	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
If this claim is based on an existing water right, has the identification number been entered? N/A <u>✓</u>	☒	☐
Should this claim be receipted and data entered?	☒	☐

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Claim checked by NOV 6 6 1988 CA

Comments: _____