

09/22/2006

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

RIGHT NUMBER: 22-7156

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 8.000 CFS
2,114.00 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 vcfs 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: 08/05/1975

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	8.000 CFS 2,114.00 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

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.

This right is limited to the irrigation of 604 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.

The following rights are also diverted through points of diversion described above: 22-2247, 22-7071, and 22-13458.

December 8, 2006

THOMASON FARMS INC
PMB 2-8
2820 S 25TH E
IDAHO FALLS ID 83404

RE: CHANGE OF ADDRESS FOR 22-11857, 22-12302, 22-12304,
22-12305, 22-171A, 35-2460B, 35-7155, 35-7156

Dear Claimant:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

THOMASON FARMS INC
7276 W 3200 S
REXBURG ID 83440

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

SCANNED

AUG 28 2007

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

THOMASON FARMS INC
7276 W 3200 S
REXBURG ID 83440

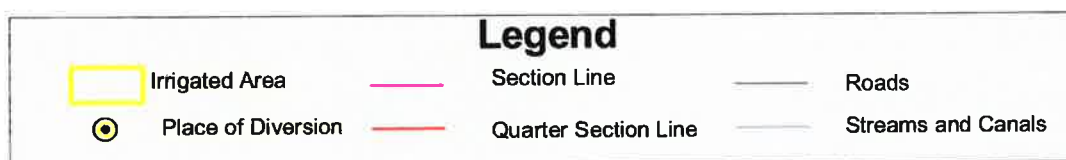
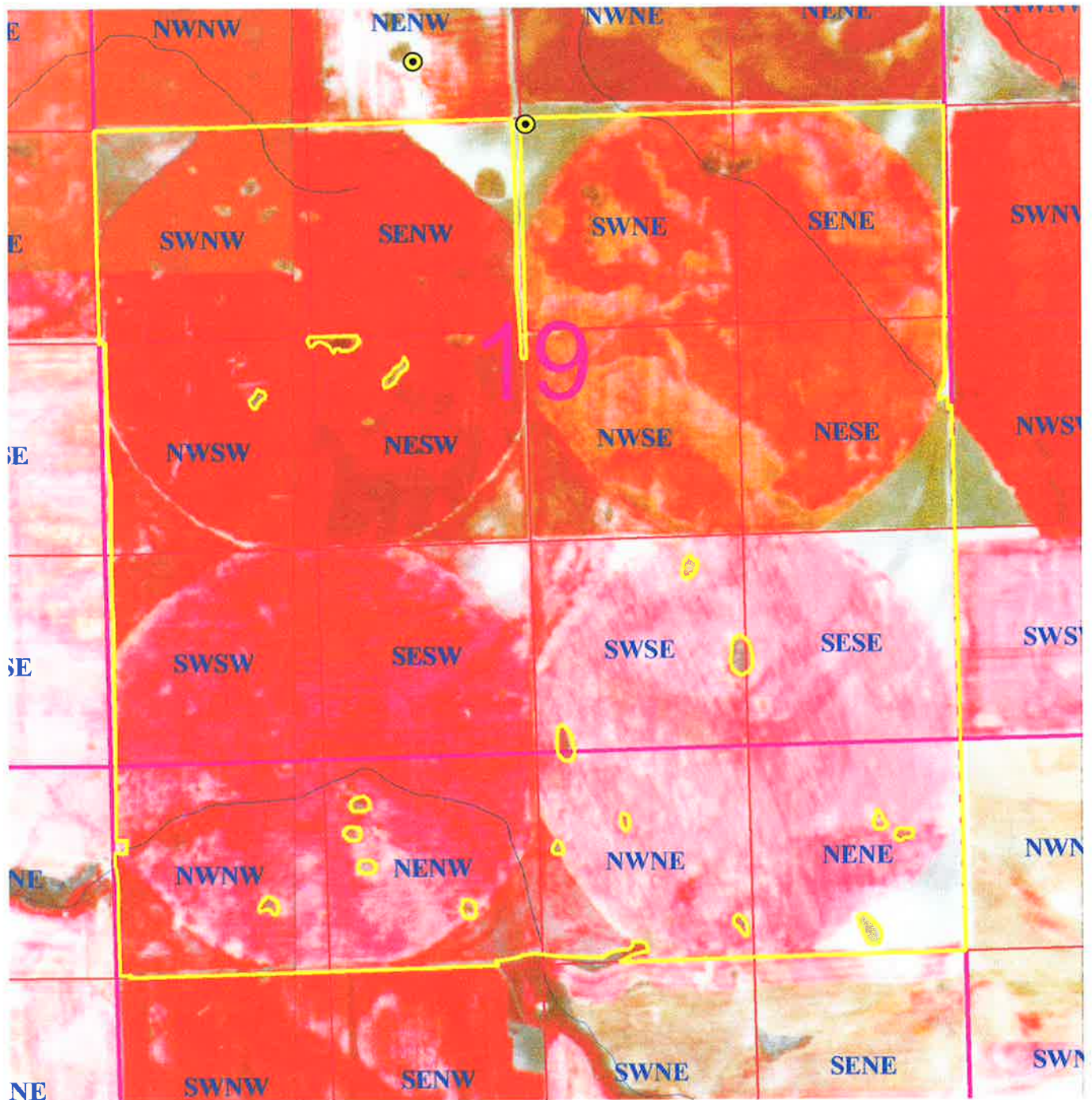
THOM276 834402023 1706 10 11/30/06
THOMASON
PMB 2-8
2820 S 25TH E
IDAHO FALLS ID 83404-6509
FORM 3547

1861 U.S. POSTAGE
8992 \$00.630 NOV 28 200
6093 MAILED FROM ZIP CODE 8340
PITNEY BOWE

22-11857
22-12302
22-12304
22-12305
22-171A
35-2460B
35-7155
35-7156
SCANNED
AUG 28 2007

Water Right Claim Number 22-07156
Townships , 5N41E, 5N40E

07/06/2001



700 0 700 1400 Feet



SCANNED
AUG 28 2007

SPATIAL
DYNAMICS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7156 Priority August 5, 1975 Amount 8.00 cfs

THIS IS TO CERTIFY, that Frank Webster
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7156 issued pursuant to Application for Permit dated August 5, 1975,
and has submitted proof to the Department of Water Resources on June 30, 1980,
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 12.30 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>8.00</u> cfs and	<u>2114.0</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 8.00 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
2114.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19,
Twp. 5N, Rge. 41E _____ 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 $\frac{1}{4}$	
5N	41E	19			38	38			38	38	40	40	40	40	39	40	40	39	470
		30	33	34			34	33											134

Total number of acres irrigated 604

The maximum rate of diversion for the well within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Twp. 5N, Rge. 41E when combined with License 22-2247 and 22-7071 shall provide no more than a total capacity of 7.38 cfs.

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 31 day of
August _____, 19 82.

Director

Gerald Jeppesen

F

76.9

E

39.1

A

174.2

18 18
19 19

R41E

Q

~~113.5~~
234.0

T
5
N

E

1/4 #1

39.5

Z

~~11.2~~

N

40.8
38ac

M

32.7

38ac

38ac

38ac

(236)

Webco Farm, Inc.

(242)

30. Franks Farms, Inc.

40ac

A
76

40ac

(241)

Angie + Gary Johnson

1/4 #2

40ac

38.3

39ac

A

72.2

40ac

B
75

40ac

5.1

40ac

39ac

5.3

24 19
25 30

21.6

33ac

62.2

34ac

34ac

33ac

15.9

7.4

6.0

6.0

7.4

F-106

(243)

Webco Farm, Inc.

154.9

A

154.9

A-65

6.0

Jack Lewis

A

76.2

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: A22-07156
Date Received: 7/19/1988 8-24
Receipt No: E001701/E000719
Received By: SAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-356-6611

1. Name: FRANKO FARMS INC.
Address: C/O FRANK WEBSTER
P.O. BOX 323
REXBURG, ID

83440

2. Date of Priority: AUG 05, 1975

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	8.000		

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

8. Total consumptive use is 1510.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-07156

Page 1

Date: 07/19/88

SCANNED

AUG 28 2007

MICROFILMED

OCT 29 1992

A2207156



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	41E	19	SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	39.0
							Section Acres	470.0
		30	NE		NE		IRR	33.0
			NW		NE		IRR	34.0
			NE		NW		IRR	34.0
			NW		NW		IRR	33.0
							Section Acres	134.0
							Total Acres	604.0

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:
22-07071/02247/A22-07418B

14. Remarks:
THE MAXIMUM RATE OF DIVERSION FOR THE WELL WITHIN THE NENW, S19,
T5N, R41E WHEN COMBINED WITH RT. 22-2247 & 22-7071 SHALL PROVIDE
NO MORE THAN A TOTAL CAPACITY OF 7.38 CFS.

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Sec. of

Franko Farms Inc, that I have signed the foregoing
Organization
document in the space below as Sec of

Franko Farms Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Bryon Webster
Signature of Authorized Agent

Sec.
Title and Organization

Aug 24, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of August 19 88

Carter F. Folsch
Notary Public

Seal

Residing at Seale, Idaho
My Commission Expires 3/21/1994

A22-07156
-119
604

~~33~~	~~34~~	~~34~~	~~33~~
~~40~~	~~40~~	~~40~~	~~39~~
~~40~~	~~40~~	~~40~~	~~39~~
~~38~~	~~38~~	~~38~~	~~38~~

201-1

R40E

R41E

SCANNED
AUG 28 1987