

09/13/2006

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

RIGHT NUMBER: 22-11034

NAME AND ADDRESS: WILCOX BROTHERS LLC
C/O TERRY WILCOX
1110 GOLDEN BEAUTY DR
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.030 CFS
1,009.000 AFY

The rights listed below are limited to a total combined diversion rate of 13.37 cfs. Combined Right Nos.: 22-2273, 22-2194B, 22-11034.

PRIORITY DATE: 06/13/1973

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T05N R40E S25 NESWSW Within MADISON County
T05N R40E S25 NESESE Within MADISON County
T05N R40E S36 SENWNW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.030 CFS 1,009.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S24	NESW	39.00	T05N R40E S24	NWSW	5.20
T05N R40E S24	SESW	26.00	T05N R40E S24	NESE	39.00
T05N R40E S24	NWSE	39.00	T05N R40E S24	SWSE	40.00
T05N R40E S24	SESE	40.00	T05N R40E S25	NENW	20.00
T05N R40E S25	NWNW	39.00	T05N R40E S25	SWNW	40.00
T05N R40E S25	SESW	39.00	T05N R40E S25	NESW	39.00
T05N R40E S25	NWSW	40.00	T05N R40E S25	SWSW	40.00
T05N R40E S25	SESW	39.00	T05N R40E S25	NESE	38.00
T05N R40E S25	NWSE	39.00	T05N R40E S25	SWSE	36.00
T05N R40E S25	SESE	38.00	T05N R40E S26	NENE	9.10
T05N R40E S26	SENE	9.50	T05N R40E S26	NESE	9.50
T05N R40E S26	SESE	9.50	T05N R40E S35	NENE	9.50
T05N R40E S36	NENW	39.00	T05N R40E S36	NWNW	40.00
T05N R40E S36	SWNW	40.00	T05N R40E S36	SESW	38.00
T05N R40E S36	NESW	39.00	T05N R40E S36	NWSW	40.00
T05N R40E S36	SWSW	39.00	T05N R40E S36	SESW	38.00
T05N R41E S30 Lot 2	SWNW	40.00	T05N R41E S30	SESW	38.00
T05N R41E S30	NESW	39.00	T05N R41E S30 Lot 3	NWSW	38.00

T05N R41E S30 Lot 4 SWSW 38.00 T05N R41E S30 SESW 38.00

1267.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1267.3 acres in a single irrigation season. Combined Right Nos.: 22-2273, 22-2194B, 22-11034.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-2194B and 22-2273 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

This right is for an enlargement of 288.0 acres within the place of use described for this right.

The following rights are also diverted through point of diversion described above: 22-2273, 22-2194B, 22-11034, 22-13573, 22-13574..

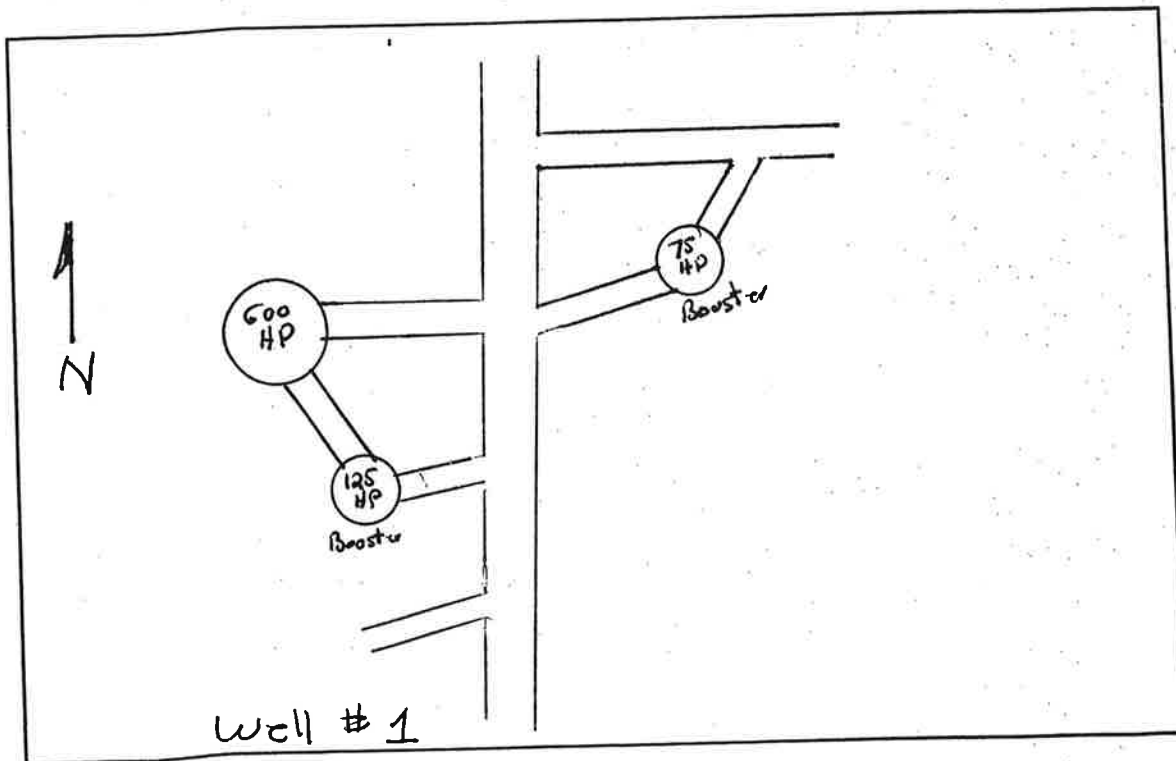
Claim no. A22-2194B
A22-2273
A22-11034

Claimant Contact Log

Date	Remarks	Agent initials
12-7-2004	Called Scott Clausen of Cornelison & Olson (phone # 709-0151) + he said farms under this right + A22-02194A + A22-02273 sold to Ruth Wilcox & Sons c/o Tim Wilcox	Thet
12-8-2004	Called Tim Wilcox (phone # 356-7563 warehouse + cell 351-8030) for apt today. Will need change of ownership done!	
	* Same Jewells also do 22-7073 + 22-2273 + 22-2194B also 22-11034 - Expansion rt. Claimants making offer for land under 22-7073.	
12-8-2004	- Site 1 of 22-7073 being leased but will be purchased. A22-2194A sold to Ras Webster Ent. LLC	
12-9-2004	Change of ownership form + warranty deed for Wilcox Bros LLC attached to report.	

22-11034 INITIALLY FILED AS AN ENLARG. OF 22-7073 HOWEVER, WILCOX BROS. DO NOT OWN 22-7073 BUT THIS CLAIM IS CLAIMED ON WILCOX LANDS - THEREFORE THE RECOMMENDATION WILL REFLECT AN ENLARG. OF 22-2194B. THIS CLAIM IS FOR 286[±] AC AS PDU W/ 22-2273, 2194B. SAME POD/PDU Q AND AC LIMITS ABOVE

Water Right No(s). A22-21943, A22-2273 & A22-11034



GPS DATA:

Tag # A000241 Location: 2685290
1394557 Tag on post
Next to 600 Hp pump

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: GE Model: SK6328XC195 Hp: 600
SN: FJ2613032

PUMP

Make: NO TAGS Model: _____ Disch: _____
SN: _____

NOTES:

125 hp Booster & 75 hp booster
Approx 1000 gpm capability
125hp NO SN - MN IS SK6277XC13A
75hp NO TAGS

Field Exam Date: 12-8-04 Agent: HWJ

422-21943
 Claim Number: 422-2273
 422-11034

Contacts Data Entry Form

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

Current Owner: Wilcox Bros LLC Phone No.: 208-356-7563

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: Terry Wilcox Phone No.: 208-356-7563

Relationship to Claimant: LLC member Date of Field Exam: 12-08-04

Discussion of right origin and split history. Questions and problems.

Well #2

A/ GPS Data 2685306
 1393852

Tag # A0000242

Tag
 on
 Base

B/ HP 600
 SN GKJ717017
 MN

Booster HP - 200hp
 SN K1KJ1002131
 MN

Notes

Photo # 3 Facing South

Well #3

A/ GPS data 2686499
 1394610

Tag # A0000234

Tag on
 Base

B/ HP-600
 SN 1

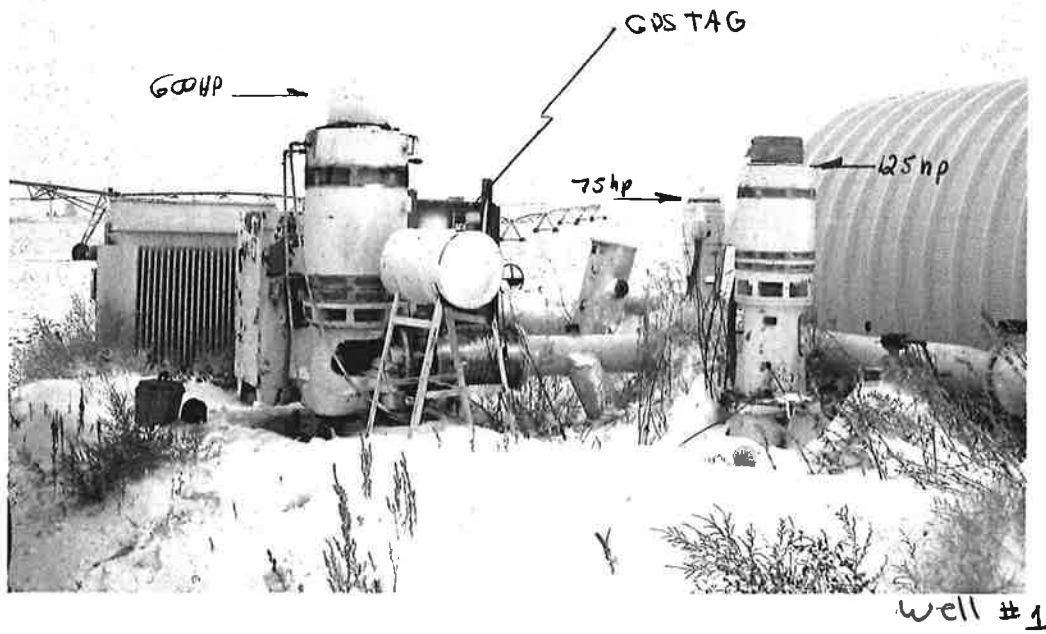
Booster - 200

BBJ216014

SN EMJ526104

Notes - Photo #4 Facing East

Reviewer: _____ Date: _____



A22-2194B, A22-2273, A22-11034

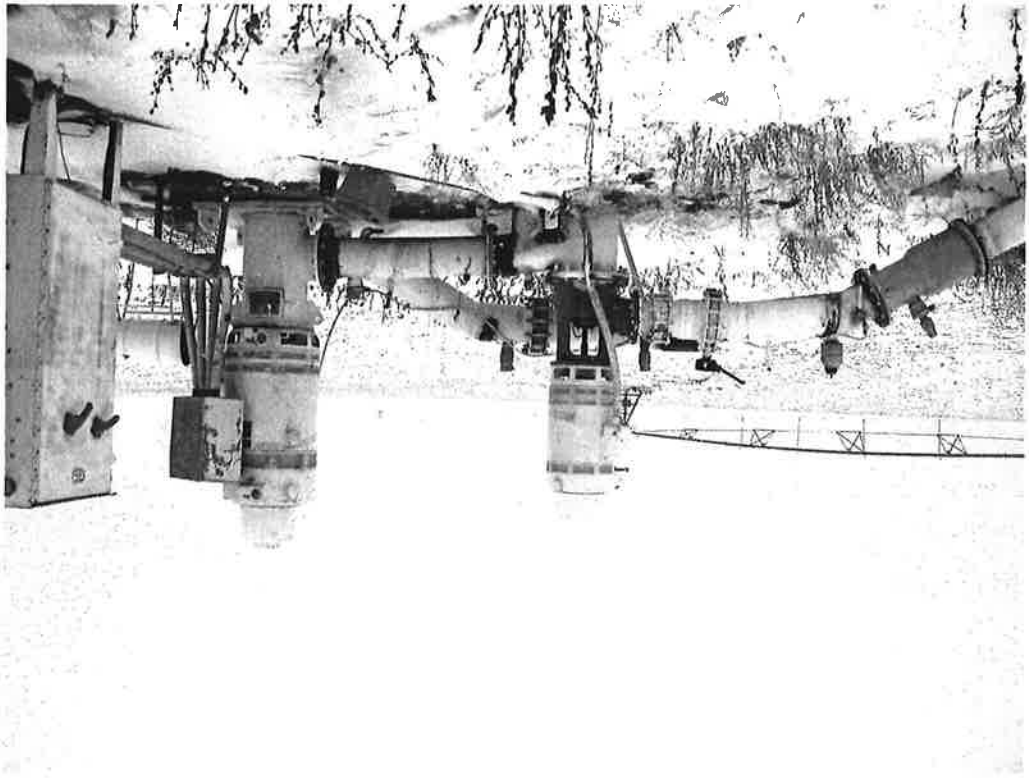
600Hp motor with 125hp + 75hp boosters, Looking North

This well + wells #2 + #3 tied together to utilize pumps + handlines

600 hp motor with 200 hp booster, looking south

A22-219413, A22-2273 + A22-11034

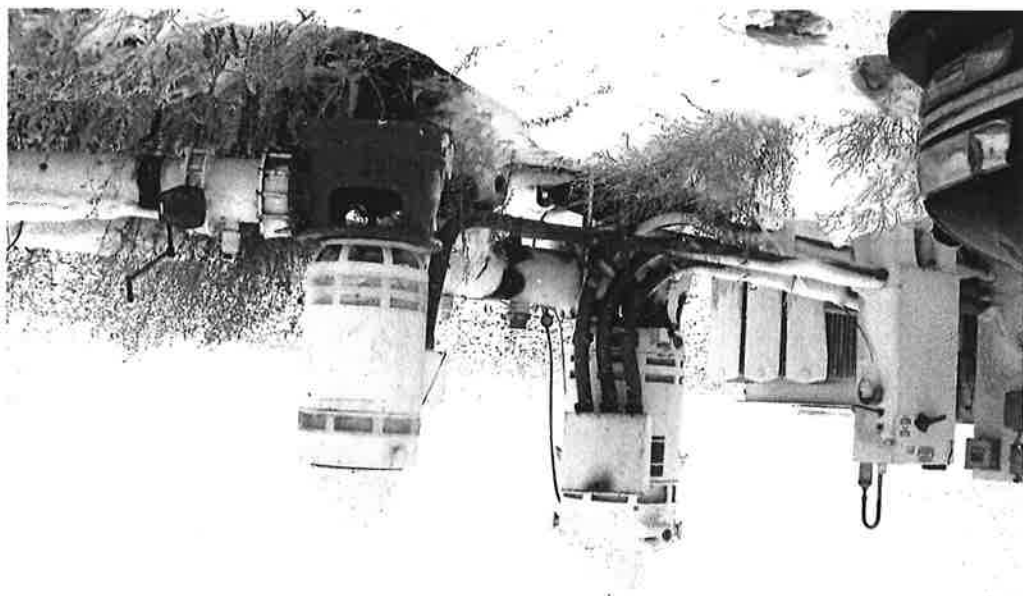
well #2

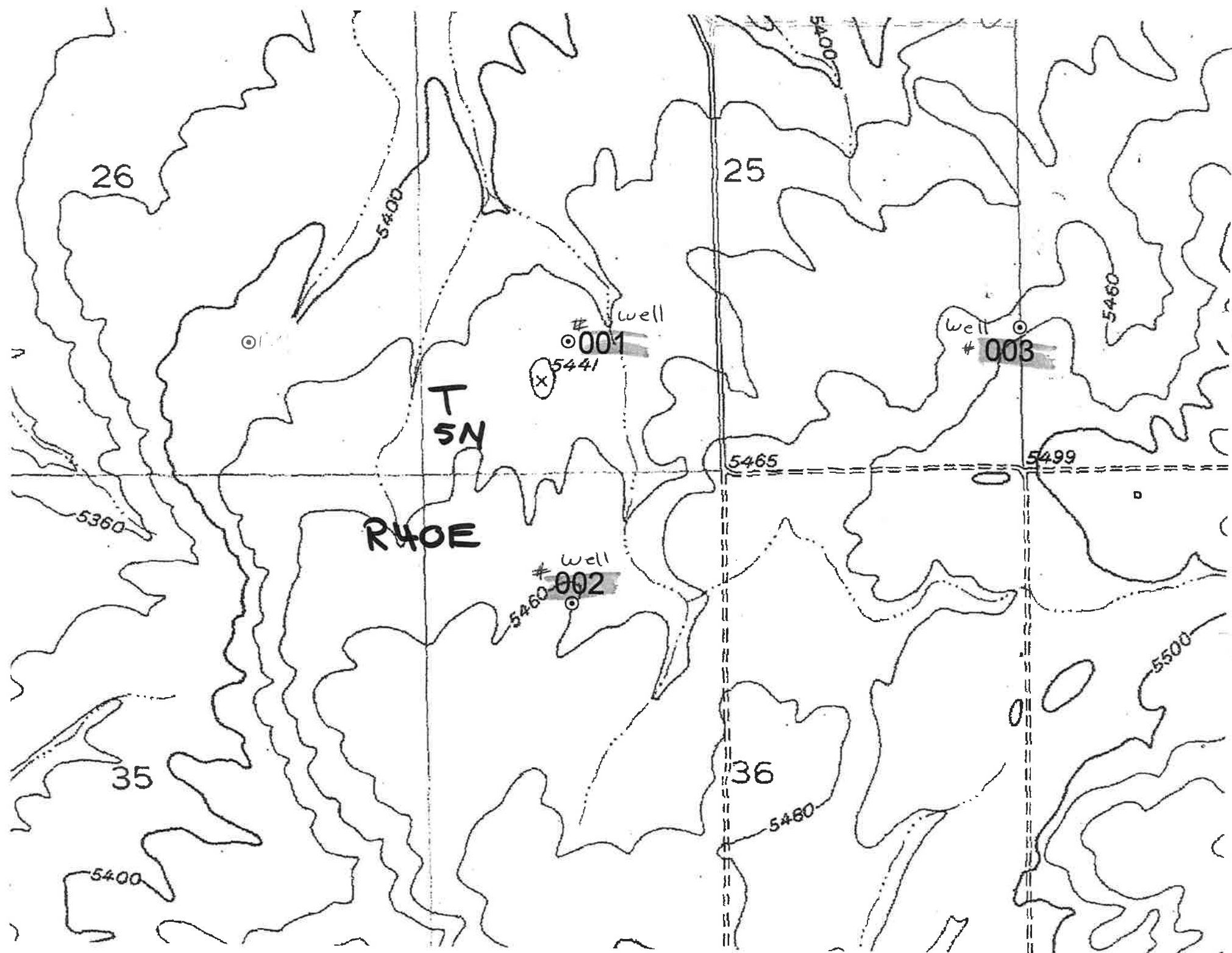


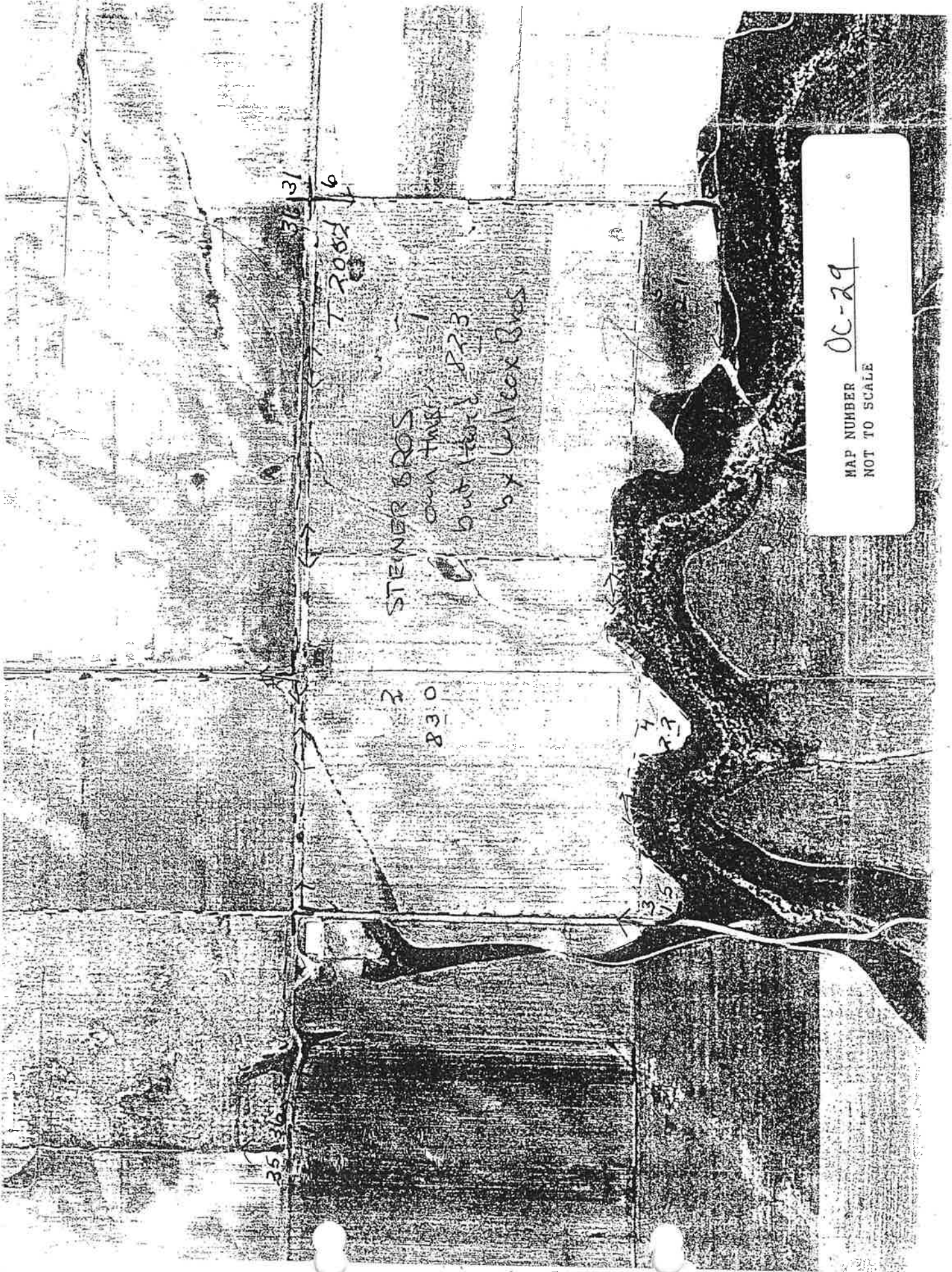
600 HP motor with 200 HP booster, looking west

A22-21940, A22-2273 + A22-11034

well #3







STEINER BROS

OWN TRACT

but hard 833

6x Wilcox Bros

2

830

35 36

37 31

T 2000

3 1.5

4 2.3

5 1.1

MAP NUMBER 0C-29
NOT TO SCALE

282406

First American Title Company

M & J 26785-B

Wilcox to
Cornelison

SECOND MORTGAGE OF REAL PROPERTY

THIS INDENTURE, made between Wilcox Brothers, L.L.C., an Idaho Limited Liability Company whose mailing address is 30 Golden Beauty Drive, Rexburg, Idaho 83440, hereinafter termed Party of the First Part, and Cornelison & Olsen Partnership, an Idaho general partnership, whose partners are Keith Cornelison and Ronald Olsen whose mailing address is P.O. Box 396, Rexburg, Idaho, 83440, hereinafter termed Party of the Second Part,

WITNESSETH:

Wilcox

That the said Party of the First Part, for and in consideration of the sum of FIVE HUNDRED FORTY THOUSAND DOLLARS and NO/100 (\$540,000.00) lawful money of the United States of America, does by these presents grant, bargain, sell and convey unto the said Party of the Second Part, and to its heirs and assigns forever, all that certain real property situate in the County of Madison, State of Idaho, and bounded and particularly described as follows, to-wit:

PARCEL 2: Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho.
Section 26: The East 342 feet of said Section;
Section 35: The East 342 feet of the NE1/4NE1/4;
Section 25: W1/2; SE1/4, LESS THE FOLLOWING PROPERTY: Starting at the point of the Southwest corner of the SE1/4 of Section 25, then running North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Section 24: Commencing at a point approximately 1419 feet East of the Northwest corner of the Southwest Quarter and running thence South 30°9' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence South 89°6' East 380 feet to the Southeast corner of the Southwest Quarter; thence North approximately 2640 feet to the center of said Section; thence West approximately 1221 feet to the point of beginning.

ALSO: Commencing at a point approximately 792 feet East of the Northwest corner of the Southwest Quarter and running thence East 627 feet; thence South 30°09' East approximately 974 feet; thence South 22°40' East 970 feet; thence South 49° East 145 feet; thence South 1°18' East 805 feet, more or less, to the South line of said Section; thence West 363 feet to the East line of the County Road; thence Northwesterly along the East line of said County Road 2871 feet, more or less, to the point of beginning.

Section 36: W1/2

PARCEL 3:

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho:
Section 24: SE1/4

Township 5 North, Range 41 East, Boise Meridian, Madison County, Idaho:
Section 30: Lots 2, 3 and 4; SE1/4 NW1/4; E1/2 SW1/4

PARCEL 4: Starting at the point of the Southwest corner of the Southeast quarter of Section 25, Township 5 North, Range 40 East, running thence North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Together with all water and water rights, namely,

Idaho Department of Water Resources Permit Numbers:

A 22-02194 A; A 22-02194 B; A 22-11034; A 22-10939; A 22-02273; A 22-11034; A 22-10979; A 22-10982; A-22-02247; A-22-11034 (expansion of A 22-02273); A-22-07073.

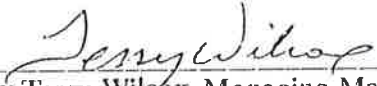
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining, SUBJECT HOWEVER, to all easements and rights-of-way-appearing on such premises or of record, reservations in favor of the United States or the State of Idaho.

THIS GRANT is intended as a mortgage to secure the payment of \$540,000.00 due Second Party pursuant to an Agreement of Sale of even date herewith between the parties, executed by the said Party of the First Part as Buyer and the said Party of the Second Part as Seller. These presents shall be void if such payment is made. In case default shall be made in the payment of said principal sum of money or any part thereof or the interest thereon, after thirty (30) days notice as provided in said Agreement of Sale, or if default be made in the performance of any of the covenants, conditions or agreements herein contained, then it shall be optional with the said Party of the Second Part, its executors, administrators or assigns, to consider the whole of said principal sum as immediately due and payable; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same according to law, and out of the money arising from such sale to retain the principal and interest which shall then be due under said Agreement of Sale, together with the costs and charges if a foreclosure suit, including reasonable attorney's fees and also the amounts of all such payments of taxes, assessments, encumbrances, or insurance as may have been made by said Party of the Second Part, its heirs, executors, or assigns, with the interest on the same, rendering the overplus of the purchase money (if any there shall be) unto the said Party of the First Part, its heirs, executors, administrators or assigns.

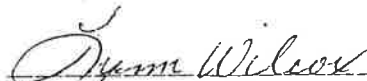
The payment for which this mortgage is security is due pursuant to Section Three of the Agreement of Sale entered into the parties upon February 4th, 2000.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set its hand and seal the day and year first above written.

WILCOX BROTHERS, L.L.C.


By Terry Wilcox, Managing Member

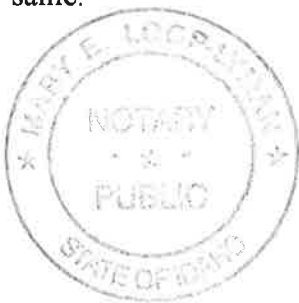

By ~~Lynn~~ Wilcox, Managing Member
Ronald


By Lynn Wilcox, Managing Member

I, Bart Webster, am a nephew of Bill Webster, the owner at the time of development. I also farmed on the adjoining farm at that time and have personal knowledge that the pumps associated with water right Identifiying number A22-11034 was being used for irrigation purposes on June 13, 1973. The points of diversion are described as SW ¼ SW ¼, and SE ¼ SE ¼, of Sec 25, Twp. 5 N., E.B.M. and NW ¼ NW ¼, Sec. 36, Twp 5 N., Rge 40 E.B.M.

Bart Webster
Bart Webster

On this 18th day of March, 2004, before me the undersigned, a Notary Public for the State of Idaho, personally appeared Bart Webster, known to me to be the person whose executed the foregoing instrument and acknowledged to me that he executed the same.



Mary E. Loop-Lymon
Notary Public for the State of Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 03-26-04

RECEIVED
MAR 22 2004
Department of Water Resources
Eastern Region



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

June 30, 2005

TERRY WILCOX
WILCOX BROTHERS LLC
1110 GOLDEN BEAUTY DR
REXBURG ID 83440

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-2194B, 22-2273,
22-11034

Dear Mr. Wilcox:

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.

22-7073 is not appurtenant to the deed you submitted. As we discussed on the telephone, I will wait to receive a chain of title from Webco to Wilcox for property in sections 1 and 25.

Respectfully yours,

Jennifer Crabtree

Technical Records Specialist

Enclosure

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

DK JC/EC
6/30/05
RECEIVED

APR 06 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
22-11034	A 22-11034		Cornelison DK	22-7073	
22-02194	A 22-02194	B	Cornelison DK		
22-02273	A 22-02273		Cornelison DK		
22-10982	A 22-10982	\$25			
22-10979	A 22-10979	\$25			

Webco Farms
NO -
deed not
appurtenant.

2. The following REQUIRED information must be submitted with this form:

A. The appropriate FILING FEE. See instructions for fee amounts.

\$50

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)

Cornelison and Olsen Partnership

P.O. Box 817 Rexburg, ID

4. New Owner/Claimant(s)

Wilcox Brothers LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1110 Golden Beauty Dr.

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

(208) 356-7563

5. Date you acquired the property

Feb. 4, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *Tommy Wilson*
(include title if applicable) *Member*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *JS* Date *4-6-04* Fee *\$50 -*
 Receipted by *JS* Date *4-6-04* Receipt No. *E029684*
 Processed by _____ AJ Date _____ WR _____ Date _____



Wilcox Brothers
1110 Golden Beauty Drive
Rexburg ID, 83445
Phone: (208)356-7563
Fax(208)356-6669

Jeff Wilcox

Fax

To: *Ernie / Dept of Water Resources* From: *Wilcox Brothers LLC*

Fax: *525-7177*

Pages: *3*

Phone: *525-7161*

Date: *6-23-05*

Re: *water rights*

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

*Hopefully, this will document ownership
as required.*

Thanks for your help.

Barbara

*Jennifer - Here is the warranty deed we need from
Wilcox Brothers for their change of ownership.*

Ernie.

THANK YOU

282401

First American Title Company

26785

WARRANTY DEED

FOR VALUE RECEIVED, Cornelison and Olsen, an Idaho general partnership, having as its general partners, Keith Cornelison and Ronald Olsen whose mailing address is P.O. Box 396, Rexburg, Idaho, 83440, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey to Wilcox Brothers, LLC, an Idaho Limited Liability Company whose mailing address is 30 Golden Beauty Drive, Rexburg, Idaho 83440, hereinafter termed Grantee, the following described premises located in Madison County, State of Idaho, particularly described as follows, to-wit:

PARCEL 2: Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho.

Section 26: The East 342 feet of said Section;

Section 35: The East 342 feet of the NE1/4NE1/4;

Section 25: W1/2; SE1/4, LESS THE FOLLOWING PROPERTY: Starting at the point of the Southwest corner of the SE1/4 of Section 25, then running North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

Section 24: Commencing at a point approximately 1419 feet East of the Northwest corner of the Southwest Quarter and running thence South 30 9' East approximately 974 feet; thence South 22 40' East 970 feet; thence South 49 East 145 feet; thence South 1 18' East 805 feet, more or less, to the South line of said Section; thence South 89 6' East 380 feet to the Southeast corner of the Southwest Quarter; thence North approximately 2640 feet to the center of said Section; thence West approximately 1221 feet to the point of beginning.

ALSO: Commencing at a point approximately 792 feet East of the Northwest corner of the Southwest Quarter and running thence East 627 feet; thence South 30 09' East approximately 974 feet; thence South 22 40' East 970 feet; thence South 49 East 145 feet; thence South 1 18' East 805 feet, more or less, to the South line of said Section; thence West 363 feet to the East line of the County Road; thence Northwesterly along the East line of said County Road 2871 feet, more or less, to the point of beginning.

Section 36: W1/2

PARCEL 3:

Township 5 North, Range 40 East, Boise Meridian, Madison County, Idaho: ✓

Section 24: SE1/4

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

Section 30: Lots 2, 3 and 4; SE1/4 NW1/4; E1/2 SW1/4 ✓

PARCEL 4: Starting at the point of the Southwest corner of the Southeast quarter of Section 25, Township 5 North, Range 40 East, running thence North 275 feet; thence East 160 feet; thence South 275 feet; thence West 160 feet to the point of beginning.

SUBJECT HOWEVER, to all easements, roadways and rights-of-way which are visible and all patent reservations, easements and rights of way for highways, roads, railroads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations.

Dated this 4th day of February, 2000.

by: Keith Cornelisen
Keith Cornelisen, General Partner

by: Ronald Olsen
 Ronald Olsen, General Partner

STATE OF IDAHO)
)
) ss.
County of Madison /)

LORNA - LEIGH
STATE OF IDAHO
NOTARY -- • -- PUBLIC

My Commission Expires:

282401

Microfilm No.

Day Feb 04 2000

Al 1627

MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER

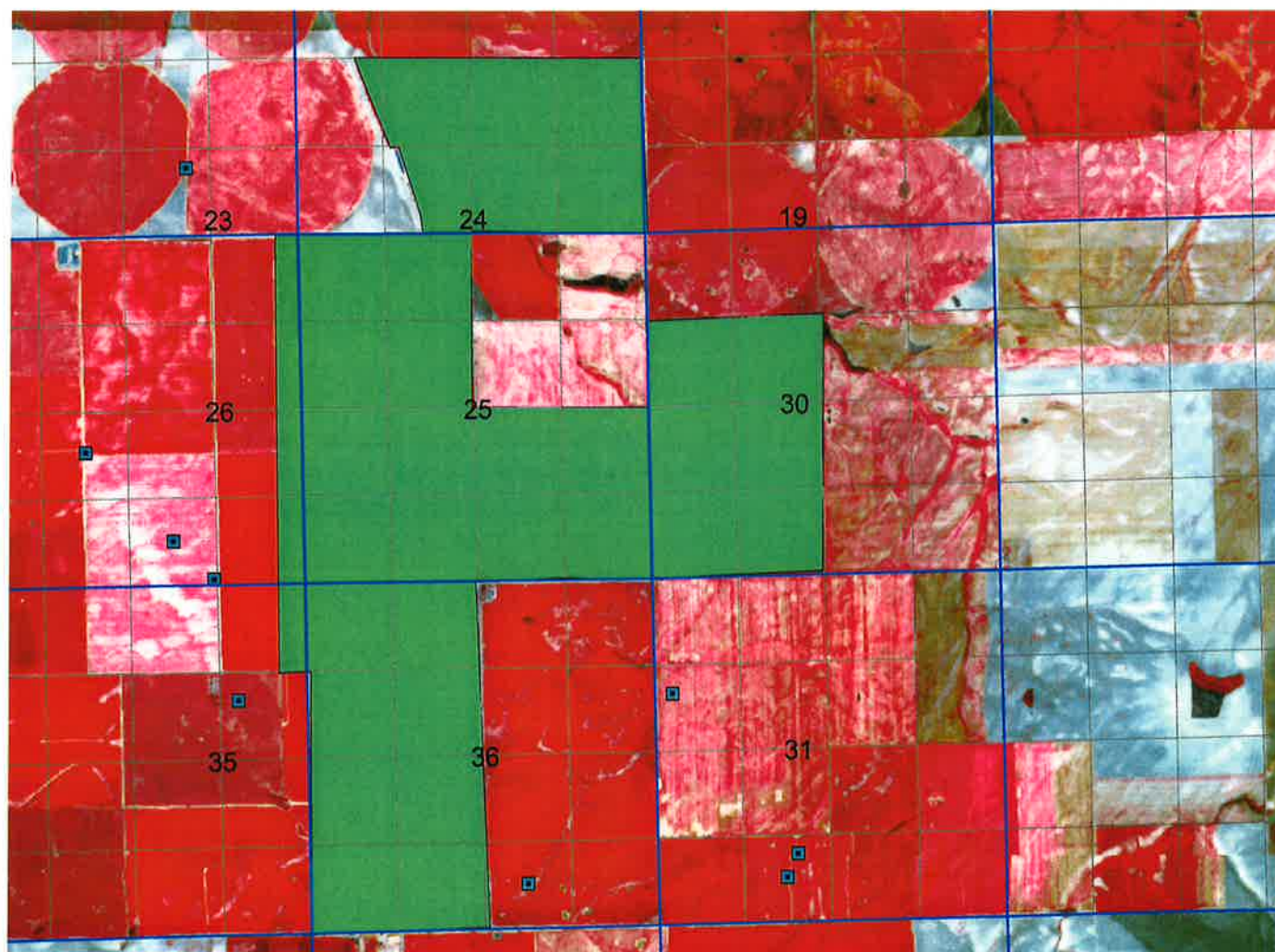
7445

Recorded At Request of

Deputy

~~First American Title Company~~

Warranty Deed 282401
Cornelison & Olsen to Wilcox Brothers LLC





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

April 6, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TERRY WILCOX
WILCOX BROTHERS
1110 GOLDEN BEAUTY DR
REXBURG ID 83440

RE: CHANGES OF WATER RIGHT OWNERSHIP & CHECK 002453 FOR
\$225.00

Dear Mr. Wilcox:

I am returning the above referenced check for over payment of fees and several of your ownership change requests for additional information. Please provide deeds from R & S Webster Enterprises LLC, Frank O Farms Inc., and Webco Farms Inc. conveying their respective property to Wilcox Brothers LLC. Attach copies to each ownership change form and return to our office.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

22-2194A - R+S
22-2194B - Cornelison
22-2273 - Cornelison
22-7073 - Webco
22-10939 - R+S
22-10979 - Wilcox
22-10982 - Wilcox
22-11034 - Cornelison

WILCOX BROTHERS LLC

1110 Golden Beauty Drive

Rexburg, ID 83440

Phone: (208) 356-7563

Fax: (208) 356-6669

March 31, 2004

Mr. Nick L. Olson
State of Idaho Department of Water Resources
990 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RECEIVED

APR 06 2004

Department of Water Resources
Eastern Region

Re: Water Rights Change of Ownership

Dear Mr. Olson

As you suggested from our telephone conversation, we are enclosing a Notice of Change of Water Right Ownership for water rights included in the purchase of property from Cornelison's in 2000, together with required documents and fees. Included are water rights numbered A 22-07073 and A 22-11034, which you specifically mentioned.

Thank you for your time. *Webco*

↓ Cornelison

Sincerely,

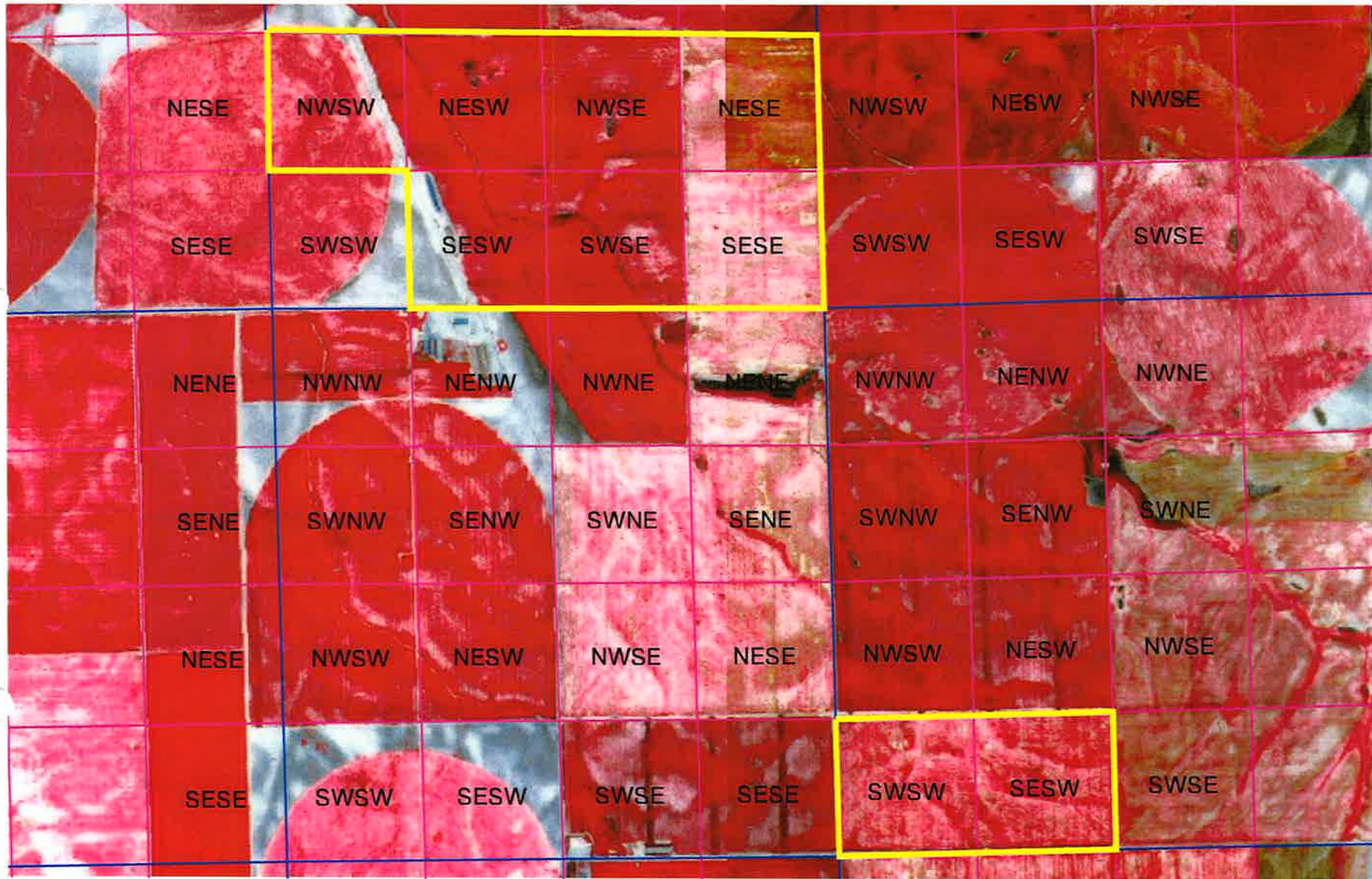
Terry Wilcox

Terry Wilcox

Township
05N

Range
40E, 41E

Section
24, 30



Notes:



0.0500.06.0.15 Miles



Water Right #: 2211034

Examiner

Date:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records

(Please print or type)

Lynn Wilcox

[] Name(s):

C/o Keith Wilcox & Sons, Inc

1110 Golden Beauty Dr.

Rexburg, Idaho 83440

[] Old Mailing Address:

4891 South Hwy 191

Rexburg, Idaho 83440

[] New Mailing Address:

1110 Golden Beauty Drive

Rexburg, Idaho 83440

Telephone Number:

(208) 356-7563

[]

Signature(s)

(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Lynn Wilcox

Treasurer

(include your title if on behalf of company or organization)

Date:

3-16-04

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

NOVEMBER 9, 1994

CORNELISON & OLSEN
AN IDAHO GENERAL PARTNERSHIP
PO BOX 817
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-11034, -02273, -02194A, -
02194B, 10982, & -10979

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

cc: Charles Homer/copy of letter

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NOV 06 1996

RECEIVED
EVIDENCE
22 MAR 2004

February 24, 2004

**CORNELISON AND OLSEN
AN IDAHO GENERAL PARTNERSHIP
PO BOX 817
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11034

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUNE 13, 1973, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

DATE OF CLOSING: January, 1990

LEGAL DESCRIPTION OF PROPERTY: Township _____, Range _____, Section _____, _____ 1/4 of _____ of _____ 1/4 of _____ 1/4, Govt. Lot _____, BMLot _____, Block, _____, Subdivision/Townsite _____.

See attached copy of Schedule "A" from Title Insurance Policy

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Rights Number(s) A22-11034, A22-02273, A22-02194A, *NO R* *NO R* *NO R* *OK*
Assigned by IDWR: *NO R* A22-02194B, A22-10982, A22-10979 *↑ R* *↑ R*

☒ Name and Address of Former Owner/Claimant(s)(Seller): Webco Farms, Inc., Mitch B. & Marilyn
P. Webster and Valley Bank, c/o Kevin
T. Sullivan, Esq. P.O. Box 51718
Idaho Falls, Idaho 83405

☒ New Owner/Claimant (Purchaser): Cornelison & Olsen, an Idaho
General Partnership

☒ New Mailing Address: P.O. Box 817
Rexburg, Idaho 83440

☒ New Telephone Number: (208) 356-0396

☒ Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes X no. If yes, then describe the portion of the water right that is
now owned/claimed by the new owner:

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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: A22-11034
Date Received: 8/18/1988
Receipt No: E001435
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CORNELISON & OLSEN
Address: AN IDAHO GENERAL PARTNERSHIP
PO BOX 817
REXBURG ID

208-356-0396

83440

2. Date of Priority: JUN 13, 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	25		SW	SW		MADISON
				SE	SE		MADISON
		36		NW	NW		MADISON

5. Description of diverting works:
WELLS AND PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.260		

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

A.F.A.

8. Total consumptive use is 782.5 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	40E	24	NE	SW ✓		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	24	NW	SW ✓		IRR	7.0
			SE	SW ✓		IRR	28.0
			NE	SE ✓		IRR	40.0
			NW	SE ✓		IRR	40.0
			SW	SE ✓		IRR	40.0
			SE	SE ✓		IRR	40.0
						Section Acres	235.0
	41E	30	SW	SW ✓		IRR	39.0
			SE	SW ✓		IRR	39.0
						Section Acres	78.0
						Total Acres	313.0

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:
NONE

14. Remarks:

THIS IS AN EXPANSION OF RT. A2207073. THIS RT. SHALL PROVIDE NO MORE THAN 15.27 CFS WHEN USED WITH 22-2194, 22-2273 AND 22-7073 CHANGED OWNERSHIP 11/9/94/JT/GT

15. Basis of Claim: BENEFICIAL USE

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363

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: A22-11034
Date Received: 8/18/1988
Receipt No: E 001435
Received By: HwJ

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

1. Name: WEBCO FARMS INC. C/O BILL WEBSTER 208-522-3528
Address: 2216 HENRYANNA AVE.
IDAHO FALLS, ID 83404

2. Date of Priority: JUN 13, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	25		SW	SW		MADISON
				SE	SE		MADISON
		36		NW	NW		MADISON

5. Description of diverting works:
WELLS AND PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.260		

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

8. Total consumptive use is 782.5 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	24	NE	SW		IRR	40.0

A22-11034

Page 1

Date: 08/18/88

A2211034



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	24	NW	SW		IRR	7.0
			SE	SW		IRR	28.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	235.0
	41E	30	SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	78.0
						Total Acres	313.0

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:
NONE

14. Remarks:
THIS IS AN EXPANSION OF RT. A2207073. THIS RT. SHALL PROVIDE NO MORE THAN 15.27 CFS WHEN USED WITH 22-2194,22-2273 AND 22-7073

15. Basis of Claim: BENEFICIAL USE

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/We 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 Pres _____ of
_____ Title
Webco Farms Inc _____, that I have signed the foregoing
Organization
document in the space below as Pres _____ of
_____ Title
Webco Farms Inc _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Bill Webster
Signature of Authorized Agent
Pres Webco Farms Inc
Title and Organization
8/18/88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Aug 19 88
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission EXPIRES 6-30-94
3 Date: 08/18/88

A22-11034

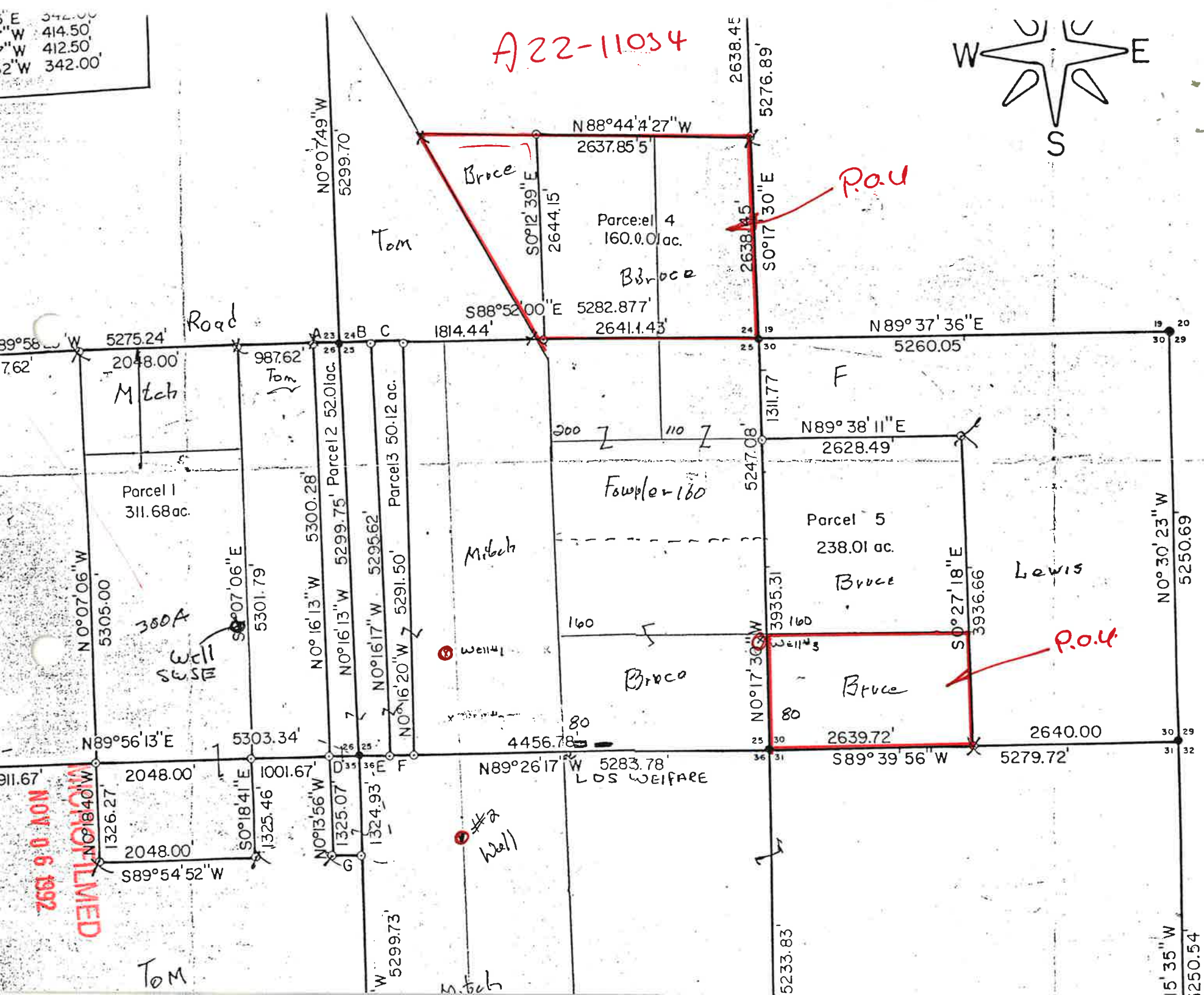
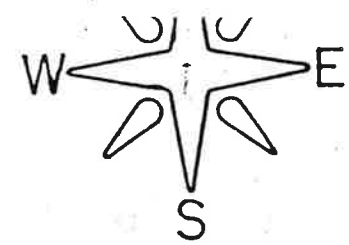
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E 342.00
W 414.50
W 412.50
W 342.00

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