

09/22/2006

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

RIGHT NUMBER: 22-13518

NAME AND ADDRESS: KEVIN WEBSTER
4161 E 421 N
RIGBY ID 83442SHAWN WEBSTER
PO BOX 457
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.280 CFS
1,739.50 AFY

Right Nos. 22-2190 and 22-13518 are limited to a total combined diversion rate of 7.23 cfs and to a total combined annual diversion volume of 4119.5 AF.

Right Nos. 22-2190, 22-7408, and 22-13518 are limited to a total combined diversion rate of 7.88 cfs and to a total combined annual diversion volume of 3344.8 AF.

PRIORITY DATE: 06/01/1985

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 S27 NWSNW 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	5.280 CFS 1,739.50 AFY	
PLACE OF USE: <u>IRRIGATION Within MADISON County</u>					
T05N R40E S14	SWSW	2.00	T05N R40E S15	SESE	11.00
T05N R40E S22	NENE	40.00	T05N R40E S22	NWNE	12.00
T05N R40E S22	SWNE	32.00	T05N R40E S22	SENE	38.00
T05N R40E S22	SENE	15.00	T05N R40E S22	NESW	40.00
T05N R40E S22	NWSW	14.00	T05N R40E S22	SWSW	15.00
T05N R40E S22	SESW	39.00	T05N R40E S22	NESE	39.00
T05N R40E S22	NWSE	37.00	T05N R40E S22	SWSE	32.00
T05N R40E S22	SESE	38.00	T05N R40E S23	NWNE	13.00
T05N R40E S23	SWNE	16.00	T05N R40E S23	NENW	27.00
T05N R40E S23	NWNW	32.00	T05N R40E S23	SWNW	29.00
T05N R40E S23	SENE	39.00	T05N R40E S23	NESW	38.00
T05N R40E S23	NWSW	30.00	T05N R40E S23	SWSW	27.00

T05N R40E S23	SESW	37.00	T05N R40E S23	NWSE	24.00
T05N R40E S23	SWSE	21.00	T05N R40E S27	NENE	36.00
T05N R40E S27	NWNE	38.00	T05N R40E S27	SWNE	38.00
T05N R40E S27	SENE	36.00	T05N R40E S27	NENW	39.00
T05N R40E S27	NWNW	38.00	T05N R40E S27	SWNW	40.00
T05N R40E S27	SENW	37.00	T05N R40E S28	NENE	34.00
T05N R40E S28	NWNE	21.00	T05N R40E S28	SWNE	37.00
T05N R40E S28	SENE	29.00	T05N R40E S28	SENW	14.00
T05N R40E S28	NESW	35.00	T05N R40E S28	SESW	25.00
T05N R40E S28	NWSE	27.00	T05N R40E S28	SWSE	14.00

1275 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1275 acres in a single irrigation season. Combined Right Nos.: 22-2190, 22-7408, and 22-13518.

The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.: 22-2190 and 22-13518.

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.

This right is based upon an enlargement of Right No. 22-2190 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described above: 22-2190 and 22-7408.

This right is for an enlargement of 497 acres within the place of use described for this right.

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

09/22/2006

**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: 22-13518

KEVIN WEBSTER
4161 E 421 N
RIGBY ID 83442

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

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10-18-06 SIGNATURE: Kevin Webster

Please print your name: Kevin Webster

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

KMS
11/9

09/22/2006

**NOTICE OF ERROR
REPLY**

RECEIVED
OCT 18 2006

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13518

KEVIN WEBSTER
4161 E 421 N
RIGBY ID 83442

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REXBURG ID 83440
Telephone Number: (208)356-9598

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10-18-06

SIGNATURE: Shawn Webster

Please print your name: Shawn Webster

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

KWD
10/20

Claimant: Kirk Webster, Kevin Webster, Shawn Webster
Attorney: Jerry R. Rigby
of RIGBY, THATCHER, ANDRUS
RIGBY & MOELLER, Chartered
Attorneys at Law
25 North Second East
Rexburg, ID 83440
Telephone: (208) 356-3633
Facsimile: (208) 356-0768

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS
SNAKE RIVER BASIN ADJUDICATION DIVISION

In RE: SRBA

Case No. 39576

Subcases: 22-7408, 22-2190

AFFIDAVIT OF KEVIN WEBSTER

STATE OF IDAHO

)

ss.

County of Madison

)

Kevin Webster, having been duly sworn, states under oath as follows:

1. I am a resident of Jefferson County, Idaho and reside at 4161 E 421 N

Rigby ID 83442-5516.

2. I am a farmer by profession and currently own through my corporation

Webster's, Inc., along with my brother Shawn and his corporation, Webster's Mile High Farm, Inc., the lands which are described and watered by water right nos. 22-7408 and 22-2190. I have personally worked said property since 1970.

3. Because I have worked said property since 1970, I am personally and keenly

aware that circles 11 and 14 (see attached map which is a photo taken on or about the summer of 1985) have been irrigated since the spring of 1979, circles 12 and 15 have been irrigated since the fall of 1981, and circle 18 has been irrigated since 1984.

4. I distinctly remember irrigating parcels 11 and 14 as early as the spring of 1979, because that was the year we connected mainlines from wells 1 and 2 (which hold the following valid water rights: 22-2190, 22-7325, and 22-7408), and used that connection to irrigate parcels 12 and 15, as seen on the map.

5. As further proof of the above, in August of 1981, Webster's Deep Well farms was approved for a loan from the Federal Land Bank Association (see attached loan approval form). This loan gave us the monies necessary to irrigate parcels 12 and 15. We installed the necessary mainline and began irrigating that fall towards the end of the season.

6. I clearly remember using hand-lines to irrigate circle 18 during the summers of 1984 and 1985. We irrigated 62.5 acres with the hand-lines.

8. The water from the said water rights were beneficially applied to the entire 1275 acres by 1985.

9. All uses described in the Claim were instituted prior to 1987.

Dated this 28th day of April, 2006.


Kevin Webster

SUBSCRIBED AND SWORN to before me this 28th day of April, 2006.



Mandy Davis
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 6-24-11

ASCS-578
(6-7-78)

85 REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

Form Approved - OMB No. 0560-0004

PAGE

1 OF 4

KEY 1 OPERATOR	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATOR	OTHER INTERESTED PRODUCERS	OTHER FARMS	ASSIGNMENT	JOB
	97	WEBSTER DP WELL FM	3657	3420	OWNER	NAME AND ADDRESS			
	E	519 E 350 S	C6R D5L /						
	OP	REXBURG ID 83440							
	82 0047547 4								
KEY 2 OWNER	97	WEBSTER DP WELL FM			PROGRAM YEAR				
	E	L WEBSTER			1985				
					OTHER	47/12			

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY					KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE	
			W-I	W-D	B-I	B-D	P ₂ ⁺						GRASS	IDENT./MEAS.			ACRES
1179 167	1A ¹	Barley-malt			67.9												
	1B ²	"			67.0												
	1C ³	"				4.4											
	1D ⁴	"				3.1											
	1E ⁵	"				23.1											
	1F ⁶	"				9.9											
	2A ²	"				1283											
	2B ²	"				4.9											
3A ¹	"				129.0												
TOTAL OPERATOR REPORT					628.4	1751.6	442.7	651.5	8.3								
TOTAL REPORTER'S REPORT																	

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

[illegible]

REPORT OF ACREAGE

USDA-ASCS

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PAGE

3 OF 4

KEY	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	OTHER INTERESTED PRODUCERS		ASSIGNMENT	
						NAME AND ADDRESS	OTHER FARMS	CROP	JOB
1	97	WEBSTER DP WELL FM			OWNER	3			
						4			
						5			
2					PROGRAM YEAR 1985	6			
						7			

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY					KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE	
			W-I	W-D	B-I	B-D	Potato						IDENT./MEAS.	ACRES			
1	9B	dry Barley				12.0											
	10B	Barley															
	10, 11A	dry Barley			180.0												
	10-A	dry Barley				15.0											
	11B	Barley															
	C	"				20.0											
	12																
	H	dry wheat HRS		93.0													
	13																
	I	in potatoes				31.5											
	14																
	15	in Barley			38.3												
	16	in Barley			68.6												
	17	in Potatoes				160.0											
	18																
TOTAL OPERATOR REPORT																	
TOTAL REPORTER'S REPORT																	

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for official crop acreage determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY					KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			W-I	W-D	B-I	B-D	Pot						IDENTITY & MEAS.	ACRES		
	18A															
	Circle 12	Potatoes					90.0									
	Circle 12	dry					2.0									
#12	A18B	Potatoes														
	Circle 12	"					8.0									
	B-18C	"														
	Circle 13	vir			160.0											
	1319	Barley														
	3-A19A					79.5										
	corner	dry Barley														
#14	Circle 14	vir			130.0											
	1420	Barley														
	Circle 15	vir			130.0											
	1521A	Barley														
#15	144					73.8										
	1522B	dry														
	corner	Barley														
	Circle 16	vir			160.0											
	1623A	Barley														

SKETCHES OR REMARKS

DATE _____

SECTION 1 - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

[illegible]

SKETCHES OR REMARKS

REPORT OF ACREAGE

USDA-ASCS

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2 OF 4

KEY 1 OPERATOR	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	OTHER INTERESTED PRODUCERS	ASSIGNMENT
	97	WEBSTER DP WELL FM				NAME AND ADDRESS	OTHER FARMS
	E				OWNER		CROP
							JOB
KEY 2 OWNER					PROGRAM YEAR		
					1985.		
					OTHER		

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY					KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			W-I	W-D	B-I	B-D	pot						IDENT./MEAS.	ACRES		
1	2	3														
	circle A-4 1B	dry Barley malt.			130.0											
	corners B2B	dry Barley malt			29.0											
	circle 5B	dry Barley malt			140.0											
	circle 55B corners A	dry Barley malt			15.2											
	circle 5C corners 5-B.	dry Barley			16.0											
	circle 5-D	"			12.0											
	circle 5-E	"			10.0											
	circle 6A	potato			120.0											
	circle 6-B corners 6-A	dry barley malt			12.6											
TOTAL OPERATOR REPORT																
TOTAL REPORTER'S REPORT																

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

SECTION 1 - FARM FIELD REPORT (Continued) (Grey Area to be Filled In by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY						KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL & DATE 13
			W-I	W-D	B-I	B-D	Pct.	Grass						IDENTITY & MEAS. 10	ACRES 11		
	Circle 7.7A	potato					70.0										
	Circle 7B	dryland potato					4.0										
	Circle 8A	inv. Barley				75.0											
	Circle 8-A	dry Barley				4.5											
	Circle 8B	"				12.0											
	Circle 8C					6.0											
	B9	grass					8.3										
	Circle 910	inv. Barley				86.0											
	Circle 9A	dry Barley				8.0											

SKETCHES OR REMARKS

FEDERAL LAND BANK ASSOCIATION OF REXBURG

P. O. BOX 157 217 N. 2ND EAST REXBURG, IDAHO 83440

TELEPHONE: (208) 356-4442



LEE B. BOYLE, MANAGER

August 6, 1981

Webster's Deep Well Farms, Inc.
519 East 350 South
Rexburg, Idaho 83440

Dear Kirk:

This letter is to inform you of the official approval of your recent loan application in the amount of \$500,000 under the following loan conditions:

1. The loan is for a term of 25 years on 500 acres, more or less, with \$25,000 in Federal Land Bank Association stock.
2. Irrigation Requirements: Attached
3. Those to sign the note and mortgage: Beverly Webster Cullum, B. Kirk and Rita Webster, Kevin B. and Janet Webster, Shawn Webster. Also the president and secretary of Webster's Deep Well Farms, Inc.
4. Fire insurance of \$122,000 on out buildings. Please notify your agent and have him send us a binder showing this, and also showing us as first mortgagee.
5. Loan proceeds to be disbursed for the purposes shown on the application, namely for improvements \$455,526; loan costs \$19,474; stock \$25,000.

This loan will be closed in accordance with the Bank's variable rate plan and is contingent upon your providing the Bank with a first lien upon the land offered as security. This commitment is subject to the availability of funds, interest rates, and loan fees in effect at the time of closing and the loan must be closed on or before September 30, 1981.

We will notify you upon receipt of your mortgage papers so you and the others can come in and sign them.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eileen Parker".
Eileen Parker
Secretary



SERVING MADISON, FREMONT, AND TETON COUNTIES

D. REQUIREMENTS

1. Evidence of license #222190 for 7.23 cfs, priority date 11-7-60 for 680 acres from well, verified Yes.
2. 600 HP 1770 RPM G.E. electric motor, serial #KKJ1030015 and Johnston turbine pump to be included in mortgage by special clause, UCC required.
3. 9100 feet of steel mainline of sizes 10" --- 12" to be included in the mortgage by special clause, UCC required.
4. Two 10 Tower electric self-propelled circular systems to be included in the mortgage by special clause, UCC required. (To be installed, specifications to be supplied upon receipt of completed bid.

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 22-13518
Date Received: 5/3/2006
Receipt No: **E031862**
Received By: **KJ**

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

1. Name of Claimant(s)

SHAWN WEBSTER Phone: (208)356-9598
PO BOX 457
REXBURG ID USA 83440

KEVIN WEBSTER Phone:
4161 E 421 N
RIGBY ID USA 83442

2. Date of Priority: 11/07/1960

3. Source: GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	40E	27 16 ^{typo}	NW SE	MADISON	
05N	40E	27	SE NW	MADISON	

5. Description of diverting works:

Two wells, two pumps, mainline, and electric self-propelled circular sprinkler systems.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	7.23	2380

7. Total Quantity Appropriated is:
7.23 C.F.S. and/or 2380 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	40E	14	SW	SW		IRRIGATION	4
						Section Acres	4
05N	40E	15	SE	SE		IRRIGATION	12
						Section Acres	12
05N	40E	22	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	14
			SW	NE		IRRIGATION	29
			SE	NE		IRRIGATION	23
						Section Acres	106
05N	40E	23	NW	NE		IRRIGATION	12
			SW	NE		IRRIGATION	15
			NE	NW		IRRIGATION	27
			NW	NW		IRRIGATION	34
			SW	NW		IRRIGATION	31
			SE	NW		IRRIGATION	37
			NE	SW		IRRIGATION	39
			NW	SW		IRRIGATION	34
			SW	SW		IRRIGATION	28
			SE	SW		IRRIGATION	36
			NW	SE		IRRIGATION	25
			SW	SE		IRRIGATION	21
						Section Acres	339
05N	40E	28	NE	NE		IRRIGATION	12
			NW	NE		IRRIGATION	10
			SW	NE		IRRIGATION	34
			SE	NE		IRRIGATION	3
			SE	SW		IRRIGATION	34
			NW	SE		IRRIGATION	27
			SW	SE		IRRIGATION	14
						Section Acres	134
						Total Acres	595

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:
22-7408

14. Remarks:

This is an enlargement claim for 497 additional acres, based upon water right no. 22-2190, for a total of 1275 irrigated acres.

15. Basis of Claim: Beneficial Use

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 02 2006
Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Shawn Webster, Kevin Webster Phone (208) 356-9598

Mailing Address PO Box 457, Rexburg Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) 11/07/1960

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

4. a. Location of existing point of diversion is: Township 05N Range 40E Section 27,
_____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion if any: NW1/4 SE1/4, Township 05N, Range 40E, Section 16.

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. Two wells, two pumps, mainline, and
electric self-propelled circular sprinkler systems.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04/01 to 10/31 amount 7.23 or 2380

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.23 (cfs) and/or (b) 2380 (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	
05N	40E	14											4						
		15																12	
		22	40	14	29	23													
		23		12	15		27	34	31	37	39	34	28	36		25	21		
		28	12	10	34	3								34		27	14		

Total number of acres irrigated 497

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 X 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.

22-7408 or None ()

14. Remarks:

This is an enlargement claim for 497 additional acres, based upon water right no. 22-2190, for a total of 1275 irrigated acres.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-2190
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.

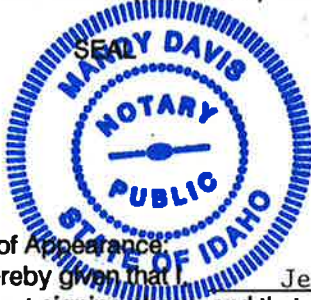
Signature of Claimant (s) [Signature] Date 5-1-06
[Signature] Date 4-28-06

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 1st day of May 19 2006



Notary Public Mandy Davis
Residing at ST. Anthony Idaho
My Commission Expires 6-24-2011

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I Jerry R. Rigby 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 [Signature]
Address P.O. Box 250, Rexburg, ID 83440
Date May 1, 2006

Last Name _____ Ident. Number _____

Township 05N, Range 40 E

