

11/14/2006

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

RIGHT NUMBER: 22-13573

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.980 CFS
521.50 AFY

15.27 The rights listed below are limited to a total combined diversion rate of
cfs. Combined Right Nos.: 22-13573, 22-13574, 22-2194B, 22-2273,
22-11034.

PRIORITY DATE: 06/12/1973

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 11/01	2.980 CFS 521.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S25	NENE	33.00	T05N R40E S25	NWNE	36.00
T05N R40E S25	SWNE	40.00	T05N R40E S25	SENE	40.00
149 ACRES TOTAL					

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

This right is a split from former right 22-7073 .



Idaho Department of Water Resources

SRBA Recommendation:

22-13573

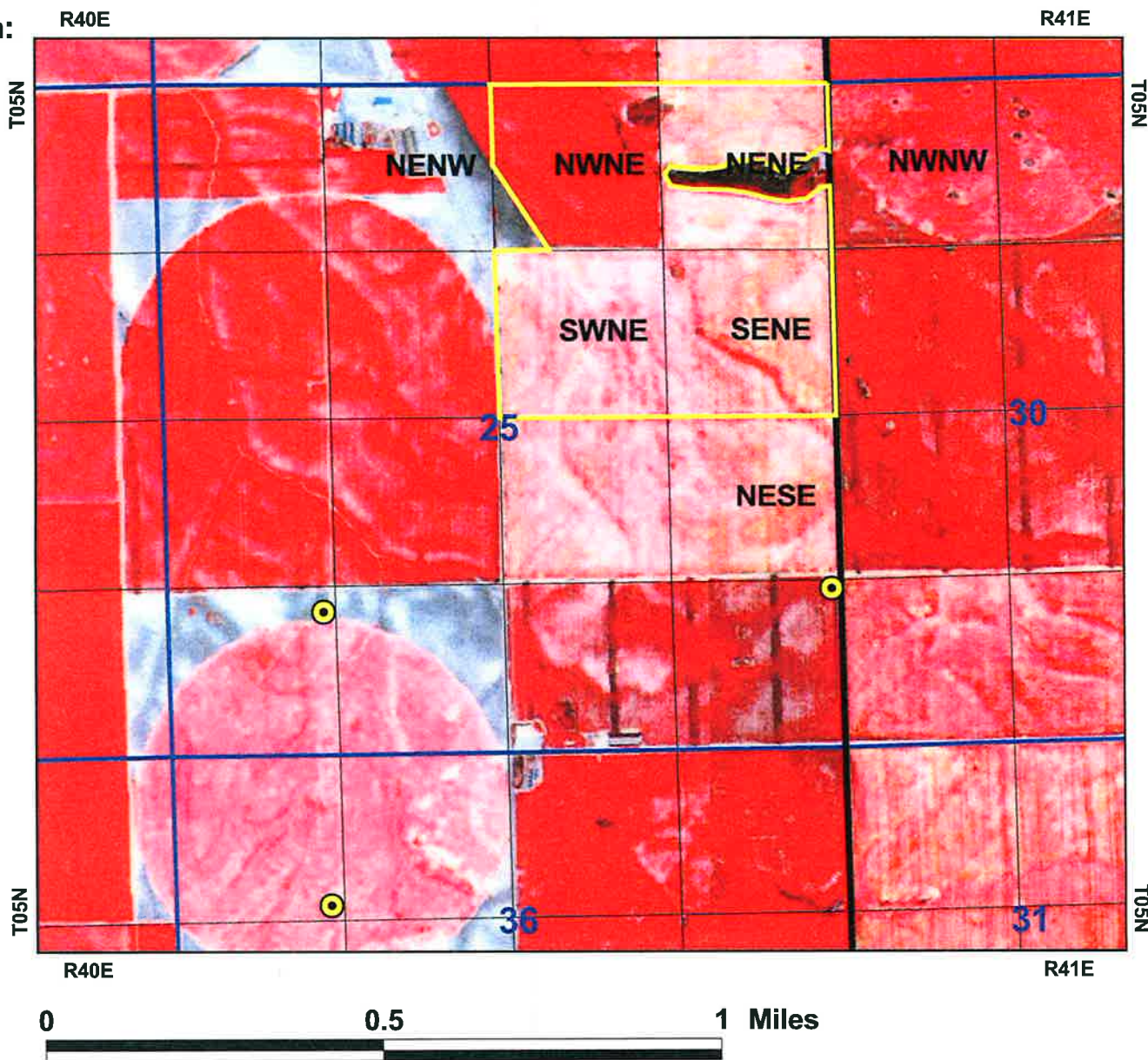
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



0 0.5 1 Miles

Prepared by J. Crabtre
On Tuesday, November 14, 2006
1987/88 Aerial Photography

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

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

RECEIVED

APR 06 2004

Department of Water Resources
Eastern Region

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
<u>2207073</u>	<u>A-2207073</u>	☐			☐
	<u>22-13573</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate FILING FEE. See instructions for fee amounts. ☒
- 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)

Webco Farms, Inc

12 N. Center, 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, 2004

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) *Danny Wilcox*
(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 _____ Date _____ Fee _____
 Recepted by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

Instrument # 283561

REXBURG MADISON, IDAHO

2000-04-13

03:15:42

No. of Pages: 1

Recorded for: RIGBY, THATCHER

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy

Fee 3.00

QUITCLAIM DEED

FOR VALUE RECEIVED, Webco Farms, Inc., an Idaho corporation of %Bill Webster of 93080 West Utopia Road, Peoria, AZ 85382, hereinafter referred to as Grantor, does hereby convey, release, remise and forever quitclaim unto Cornelison & Olsen, an Idaho general partnership, consisting of Keith Cornelison and Ron Olsen, whose mailing address is P.O. Box 396, Rexburg, Idaho 83440, the Grantee, its heirs and assigns, its interest in the following described premises situated in Madison County, State of Idaho, to-wit:

Idaho Department of Water Resources, Water Right Number A22-07073 with a priority date of June 12, 1973, with a point of diversion located in SW1/4SW1/4; SE1/4SE1/4 all in Section 25, Township 5 N., Range 40 E., B.M. and NW1/4NW1/4 in Section 36, Township 5 N., Range 40 E., B.M. } 22-7073 split into

The place of use is upon NE1/4NE1/4; NW1/4NE1/4; SW1/4NE1/4; SE1/4NE1/4 all in Section 25, Township 5 N., Range 40 E., B.M. and NW1/4NW1/4 in Section 36, Township 5 N., Range 40 E., B.M. } 22-13573

Together with all and singular the tenements, hereditaments, and appurtenances there unto 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.

Dated this 18 day of February, 2000.

WEBCO FARMS, INC.

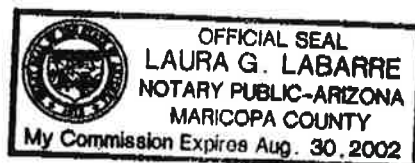
Webco Farms, Inc.
By: Bill Webster, Pres.

STATE OF ARIZONA)

County of)

On this 18 day of February, in the year 2000, before me a Notary Public for the State of Arizona, personally appeared Bill Webster, known or identified to me to be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Laura G. LaBarre
Notary Public for Arizona
Residing at: Mesa, Arizona
My Commission Expires: 8/30/02



Instrument # 283562

REXBURG MADISON, IDAHO

2000-04-13

03:32:23

No. of Pages: 2

Recorded for : RIGBY, THATCHER

MARILYN R. RASMUSSEN

Fee: 6.00

Ex-Officio Recorder Deputy

QUITCLAIM DEED

FOR VALUE RECEIVED, **Cornelison & Olsen Partnership**, an Idaho general partnership, consisting of Keith Cornelison and Ronald Olsen whose mailing address is P.O. Box 396, Rexburg, Idaho, 83440, hereinafter referred to as Grantor, does Hereby convey, release, remise and forever quitclaim unto **Wilcox Brothers, L.L.C.**, 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:

22-7073 { Idaho Department of Water Resources, Water Right Number A22-07073 with a priority date of June 12, 1973, with a point of diversion located in SW1/4SW1/4; SE1/4SE1/4 all in Section 25, Township 5 N., Range 40 E.,B.M. and NW1/4NW1/4 in Section 36, Township 5 N., Range 40 E.,B.M.

22-13573 { The place of use is upon NE1/4NE1/4; NW1/4NE1/4; SW1/4NE1/4; SE1/4NE1/4 all in Section 25, Township 5 N., Range 40 E.,B.M. and NW1/4NW1/4 in Section 36, Township 5 N., Range 40 E.,B.M.

Idaho Department of Water Resources, Water Right Number A22-10939 with a priority date of December 23, 1965, with a point of diversion located in SW1/4SE1/4, Section 26, Township 5 N., Range 40 E.,B.M.

The place of use is upon NE1/4NW1/4; SE1/4NW1/4; NE1/4SW1/4; SE1/4SW1/4 all in Section 26, Township 5 N., Range 40 E.,B.M. and NE1/4NW1/4 in Section 35, Township 5 N., Range 40 E.,B.M.

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.

Dated this 20 day of March, 2000.

GRANTOR

CORNELISON & OLSEN PARTNERSHIP

by: Keith Cornelison
Keith Cornelison, General Partner

by: Ronald Olsen
Ronald Olsen, General Partner

STATE OF IDAHO)
 ss.
County of Madison)



My Commission Expires: