

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

1

MAY 23 2006

11/18/2009

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

RIGHT NUMBER: 27-12007

NAME AND ADDRESS: PAUL WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

CRAIG WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

JOHN WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

DIANE WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

SOURCE: TRAIL CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS
2.39 AFY

The rights listed below are limited to a total combined annual diversion volume of 2.39 af. Combined Right Nos.: 27-12007 and 27-12008.

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1910

POINT OF
DIVERSION:

T08S R43E S4 SWSWNW End of Stream Flow Within CARIBOU County
T08S R43E S4 SESWSW Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/15	0.020 CFS 2.39 AFY

PLACE OF USE: STOCKWATER in CARIBOU County

T08S R43E S04	SWNW	T08S R43E S04	NWSW
T08S R43E S04	SWSW		

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 - Beneficial Use

Stockwater use is for 200 cow-calf pairs.

01/07/2008

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

RIGHT NUMBER: 27-12007

NAME AND ADDRESS: PAUL WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

CRAIG WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

JOHN WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

DIANE WEBSTER
322 S ANGEL
KAYSVILLE UT 84037

SOURCE: TRAIL CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS
2.39 AFY

The rights listed below are limited to a total combined annual diversion volume for stock water of 2.39 af. Combined Right Nos.: 27-12007 and 27-12008.

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION: ~~T08S R43E S5 NWCENE End of Stream Flow Within BANNOCK County~~

T08S R43E S4 NWSNW End of Stream Flow Within CARIBOU County

T08S R43E S4 SESWSW Begin of Stream Flow Within CARIBOU County
Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 11/15	0.020 CFS 2.39 AFY

PLACE OF USE: STOCKWATER in BANNOCK CARIBOU County

T08S R43E S04	SWNW	T08S R43E S04	NWSW
T08S R43E S04	SWSW		

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 200 cow-calf pairs.

STANDARD FORM 5/AMENDED CLAIM-Water Right No. 27-12007

Page 569



27-12007
27-12008

SHOSHONE-BANNOCK TRIBES
TRIBAL WATER RESOURCES DEPARTMENT
P.O. BOX 306
FORT HALL, ID 83203

FACSIMILE TRANSMITTAL SHEET

TO: Cindy Bird	FROM: Eliese D Teton
COMPANY: IDWR	DATE: January 3, 2008
FAX NUMBER: (208) 547-3939	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER: (208) 547-3993	SENDER'S TELEPHONE NUMBER: (208) 239-4580
RE: Request for SF5 Preparation for 27-12007 & 27-12008, Paul & Craig Webster	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Cindy, we would like to request that an SF5 be prepared for the following water right numbers, 27-12007 and 27-12008, Paul and Craig Webster to settle the Tribes' objection. We have settled on a volumetric amount, see the following calculation:

27-12007: Stockwater

$$200 \text{ cow-calf} \times \frac{20 \text{ gallons/day}}{\text{cow-calf}} \times 195 \text{ days} \times \frac{1 \text{ acre-ft}}{325,850 \text{ gallons}} \Rightarrow 2.39 \text{ AFY}$$

27-12008: Stockwater

$$200 \text{ cow-calf} \times \frac{20 \text{ gallons/day}}{\text{cow-calf}} \times 195 \text{ days} \times \frac{1 \text{ acre-ft}}{325,850 \text{ gallons}} \Rightarrow 2.39 \text{ AFY}$$

Language needs to be included on both water rights reflecting the following: *water rights 27-12007 and 27-12008 shall not exceed a total combined annual diversion volume of 2.39 AFY for stockwater use.*

The volumes and language indicated above for 27-12007 and 27-12008 settles the tribal objection to these water rights. Should you have any questions regarding this request, please give me a call at the number above.

NOTE: Please put these SF5s on the fast track, SF5s for the July 1st and Non-irrigation objections have a deadline to file of January 25, 2008. Thanks

TELEPHONE: (208) 239-4580

FAX: (208) 239-4592

Notes

6/21/04 de-minimis Stockwater, Recommend
as claimed CB

No layout needed, Print Notice of
Error Reply.

6-6-05 Paul Webster paid \$130⁰⁰ in June 2004
for claims 27-12007 + 27-12008

PROFILED

SCANNED
MAY 23 2006

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 27-12007
Date Received: 6/10/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

PAUL WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

CRAIG WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

JOHN WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

DIANE WEBSTER Phone: (801)544-2655
322 S ANGEL
KAYSVILLE UT USA 84037

2. Date of Priority: 05/01/1910

3. Source: TRAIL CREEK , TRAIL CREEK Trib. to: BLACKFOOT RIVER , BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	43E	4	SE SW SW	BANNOCK	Beginning Point
08S	43E	5	NW SE NE	BANNOCK	Ending Point

5. Description of diverting works:

INSTREAM STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/15	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 300 HEAD OF RANGE COWS

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08S	43E	4	SW	SW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	NW		STOCKWATER	

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

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

CIVIL CASE NUMBER: 39576

Identification No. 27-12007

Date Received

Receipt Number E029937

RECEIVED

JUN 07 2004

Department of Water Resources
Eastern RegionNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

John & Diane Webster

Please type or print clearly

1. Name of Claimant (s) Paul and/or Craig Webster &/or Phone (801) 544-2655Mailing Address 322 So. Angel Kayville Utah Zip 840372. Date of Priority (Only one per claim) 5/1/1910 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Trail Creekwhich is tributary to (b) Blackfoot River. Name or kind of source4. Location of point of diversion is: Township 8S Range 43E.Section 4 SE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of Bannock. pod- Begin.Additional points of diversion if any: T8S, R43E NWSENE Sec. 5 Pt. of End.5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. in stream stock.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stockwater purposes from 5/1 Month/Day to 11/15 Month/Day amount 0.02 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 300 head of Range cows.

10. Place of use is: Township: 85 Range 43 E
Section 4 SW 1/4 of SW 1/4, Govt. Lot — B.M., NWSW, SWN
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any —

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

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.
X None or —

14. Remarks: —

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court — Decree Date — Plaintiff vs Defendant —

If applicable provide IDWR Water Right Number —

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 1

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

Signature of Claimant (s) Paul & Craig Webster & John & Diane Webster Date 6/14/04
— Date —

For Organizations: I do solemnly swear or affirm that I am —

of — Title —

Organization — that I have signed the foregoing

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 — Date —

Title and Organization —

State of Idaho/or —)

County of Bannock) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed (or affirmed) before me this 4th day of June, 2004

Notary Public Cindy E Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Last Name Webster Ident No. 27-

Copies: White-State, Yellow-Claimant



