

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant WEBSTERS INC Phone (208)356-6979

Mailing Address C/O KEVIN WEBSTER
PO BOX 321, REXBURG ID 83440 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Kevin Webster Kevin Webster Pres. 9-16-2013
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	22-2190	Yes	Yes	Yes	No	No	No
	22-2250	Yes	Yes	Yes	No	No	No
	22-7325	No	No	Yes	No	No	No
	22-7408	Yes	Yes	Yes	No	No	No
	22-13518	Yes	Yes	Yes	No	No	No

RECEIVED
SEP 18 2013
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Transfer a total of 36.0 acres from water rights 22-2190, 22-2250, 22-7408 and 22-13518 and combine it with 806.0 acres authorized under water right 22-7325 to create a 842.0 acre place of use. This application is filed in response to a Pending Notice of Violation. The place of use for unchanged portion of water rights 22-2190, 22-7408 and 22-13518 is being rearranged through a subsequent transfer.

- B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part I.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-14088	0.410 cfs	72.2 af	20.6	842.0	22-2250	3.430 cfs	599.8 af	N/A	171.0
22-7325	8.630 cfs	2821.0 af	806.0	842.0		N/A	N/A	N/A	N/A
22-14089	0.090 cfs	28.7 af	8.2	842.0	22-2190	7.140 cfs	2351.3 af	671.8	1259.6
22-14090	0.090 cfs	25.2 af	7.2	842.0	22-7408	7.690 cfs	2057.3 af	587.8	1259.6
22-14091	0.060 cfs	21.0 af	6.0	842.0	22-13518	5.220 cfs	1718.5 af	491.0	1259.6

**COMBINED
TOTALS**

9.140 cfs 2,935.6 af 842.0 842.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 9.14 cubic feet per second and/or 2935.6 acre-feet per annum
3. Points(s) of Diversion:
- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part I.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**
4. Place of Use:
- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part I.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes**

Original Water Right No. 22-2250

Current Water Right Owner

KEVIN B WEBSTER
4161 E 421 N
RIGBY, ID 83442

JANET WEBSTER
4161 E 421 N
RIGBY, ID 83442

Priority Date: 5/24/1965

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	3.430 CFS	599.8 AFA	
Total Diversion			3.430 CFS	599.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 29 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	28							33.9			36.7	9.5						80.1
05N	40E	29	33.2			35.6									21.5			0.6	90.9

POU Total Acres: 171.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 22-14088

(Original Water Right No. 22-2250)

Current Water Right Owner

KEVIN B WEBSTER
4161 E 421 N
RIGBY, ID 83442

JANET WEBSTER
4161 E 421 N
RIGBY, ID 83442

Priority Date: 5/24/1965

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.410 CFS	72.2 AFA	
Total Diversion			0.410 CFS	72.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENVSE

Sec. 16 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	15					25.6	33.2	29.2	22.6	26.1	39.5	29.4	18.4					224.0
05N	40E	16	38.3	34.0	37.3	39.4									34.5	29.8	36.0	37.7	287.0
05N	40E	21	25.3	38.5	34.2	20.2									31.9		3.5	24.5	178.1
05N	40E	22		1.9			39.4	40.0	36.1	17.1		18.4							152.9

Right Acre Limit: 20.6

POU Total Acres: 842.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 22-7325

Current Water Right Owner
WEBSTERS INC
C/O KEVIN WEBSTER
PO BOX 321
REXBURG, ID 83440

Priority Date: 5/9/1980

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	8.630 CFS	2821.0 AFA	
Total Diversion			8.630 CFS	2821.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SENVSE

Sec. 16 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	15					25.6	33.2	29.2	22.6	26.1	39.5	29.4	18.4					224.0
05N	40E	16	38.3	34.0	37.3	39.4									34.5	29.8	36.0	37.7	287.0
05N	40E	21	25.3	38.5	34.2	20.2									31.9		3.5	24.5	178.1
05N	40E	22		1.9			39.4	40.0	36.1	17.1		18.4							152.9

Right Acre Limit: 806.0

POU Total Acres: 842.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes**

Original Water Right No. 22-2190

Current Water Right Owner

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 11/7/1960

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	7.140 CFS	2351.3 AFA	
Total Diversion			7.140 CFS	2351.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWSENW

Sec. 27 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	14											2.0						2.0
05N	40E	15																11.0	11.0
05N	40E	22	40.0	12.0	31.6	38.0					40.0	14.0	15.0	39.0	39.0	37.0	32.0	38.0	375.6
05N	40E	23		13.0	16.0		27.0	32.0	29.0	39.0	38.0	30.0	27.0	37.0		24.0	21.0		333.0
05N	40E	27	36.0	38.0	38.0	36.0	39.0	38.0	40.0	37.0									302.0
05N	40E	28	34.0	21.0	37.0	29.0				14.0	35.0			25.0		27.0	14.0		236.0

Right Acre Limit: 671.8
POU Total Acres: 1,259.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 22-14089

(Original Water Right No. 22-2190)

Current Water Right Owner

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 11/7/1960

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.090 CFS	28.7 AFA	
Total Diversion			0.090 CFS	28.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWSE Sec. 16 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	15					25.6	33.2	29.2	22.6	26.1	39.5	29.4	18.4					224.0
05N	40E	16	38.3	34.0	37.3	39.4									34.5	29.8	36.0	37.7	287.0
05N	40E	21	25.3	38.5	34.2	20.2									31.9		3.5	24.5	178.1
05N	40E	22		1.9			39.4	40.0	36.1	17.1		18.4							152.9

Right Acre Limit: 8.2

POU Total Acres: 842.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes**

Original Water Right No. 22-7408

Current Water Right Owner

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 7/27/1982

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	7.690 CFS	2057.3 AFA	
Total Diversion			7.690 CFS	2057.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWSENW

Sec. 27 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	14											2.0						2.0
05N	40E	15																11.0	11.0
05N	40E	22	40.0	12.0	31.6	38.0					40.0	14.0	15.0	39.0	39.0	37.0	32.0	38.0	375.6
05N	40E	23		13.0	16.0		27.0	32.0	29.0	39.0	38.0	30.0	27.0	37.0		24.0	21.0		333.0
05N	40E	27	36.0	38.0	38.0	36.0	39.0	38.0	40.0	37.0									302.0
05N	40E	28	34.0	21.0	37.0	29.0				14.0	35.0			25.0		27.0	14.0		236.0

Right Acre Limit: 587.8
POU Total Acres: 1,259.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 22-14090

(Original Water Right No. 22-7408)

Current Water Right Owner

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 7/27/1982

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4 /15	10/15	0.090 CFS	25.2 AFA	
Total Diversion			0.090 CFS	25.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENVSE

Sec. 16 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	15					25.6	33.2	29.2	22.6	26.1	39.5	29.4	18.4					224.0
05N	40E	16	38.3	34.0	37.3	39.4									34.5	29.8	36.0	37.7	287.0
05N	40E	21	25.3	38.5	34.2	20.2									31.9		3.5	24.5	178.1
05N	40E	22		1.9			39.4	40.0	36.1	17.1		18.4							152.9

Right Acre Limit: 7.2

POU Total Acres: 842.0

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
Point of diversion to several pivots

- b. Who owns the property at the point(s) of diversion
Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ If Yes, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: NorthWest Farm Credit Services

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
It will be dry.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☐	☒	currently leased to the Water Supply Bank,
☐	☒	currently used in a mitigation plan limiting the use of water under the right, or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 22-2250

Current Water Right Owner

KEVIN B WEBSTER
4161 E 421 N
RIGBY, ID 83442

JANET WEBSTER
4161 E 421 N
RIGBY, ID 83442

Priority Date: 5/24/1965

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	3.840 CFS	672.0 AFA	
Total Diversion			3.840 CFS	672.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 29 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	28							37.0			40.0	13.0						90.0
05N	40E	29	40.0			39.0									22.0			0.6	101.6

POU Total Acres: 191.6

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 22-7325

Current Water Right Owner
WEBSTERS INC
C/O KEVIN WEBSTER
PO BOX 321
REXBURG, ID 83440

Priority Date: 5/9/1980

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	8.630 CFS	2821.0 AFA	
Total Diversion			8.630 CFS	2821.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWSE Sec. 16 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	15					23.0	34.0	28.0	24.0	29.0	40.0	32.0	25.0					235.0
05N	40E	16	39.0	31.0	34.0	39.0									34.0	28.0	36.0	39.0	280.0
05N	40E	21	14.0	38.0	33.0	21.0									28.0				134.0
05N	40E	22		4.0			40.0	40.0	38.0	17.0		18.0							157.0

POU Total Acres: 806.0

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 22-2190

Current Water Right Owner

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 11/7/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	7.230 CFS	2380.0 AFA	
Total Diversion			7.230 CFS	2380.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWSENW

Sec. 27 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	14											2.0						2.0
05N	40E	15																11.0	11.0
05N	40E	22	40.0	12.0	32.0	38.0				15.0	40.0	14.0	15.0	39.0	39.0	37.0	32.0	38.0	391.0
05N	40E	23		13.0	16.0		27.0	32.0	29.0	39.0	38.0	30.0	27.0	37.0		24.0	21.0		333.0
05N	40E	27	36.0	38.0	38.0	36.0	39.0	38.0	40.0	37.0									302.0
05N	40E	28	34.0	21.0	37.0	29.0				14.0	35.0			25.0		27.0	14.0		236.0

Right Acre Limit: 680.0

POU Total Acres: 1,275.0

Conditions/Remarks:

1. 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.
2. The rights listed below are limited to the irrigation of a combined total of 778 acres in a single irrigation season. Combined Right Nos.: 22-2190 and 22-7408.
3. 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.
4. 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.
5. Right No. 22-13518 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. This right is limited to the irrigation of 680 acres within the place of use described above in a single irrigation season.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. The following rights are also diverted through point of diversion described above: 22-7408 and 22-13518.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 22-13518

Current Water Right Owner

KEVIN WEBSTER
4161 E 421 N
RIGBY, ID 83442

SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

Priority Date: 6/1/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	5.280 CFS	1739.5 AFA	
Total Diversion			5.280 CFS	1739.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWSENW

Sec. 27 Twp 05N Rge 40E MADISON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	40E	14											2.0						2.0
05N	40E	15																11.0	11.0
05N	40E	22	40.0	12.0	32.0	38.0				15.0	40.0	14.0	15.0	39.0	39.0	37.0	32.0	38.0	391.0
05N	40E	23		13.0	16.0		27.0	32.0	29.0	39.0	38.0	30.0	27.0	37.0		24.0	21.0		333.0
05N	40E	27	36.0	38.0	38.0	36.0	39.0	38.0	40.0	37.0									302.0
05N	40E	28	34.0	21.0	37.0	29.0				14.0	35.0			25.0		27.0	14.0		236.0

POU Total Acres: 1,275.0

Conditions/Remarks:

1. 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.
2. 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.
3. 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.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. The following rights are also diverted through point of diversion described above: 22-2190 and 22-7408.
6. This right is based upon an enlargement of Right No. 22-2190 pursuant to Section 42-1426, Idaho Code.
7. This right is for an enlargement of 497 acres within the place of use described for this right.
8. 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.
9. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

10. 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.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒[illegible][illegible]

78700

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒[illegible][illegible]

78700

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78700

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

SEP 18 2013

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) WEBSTERS INC

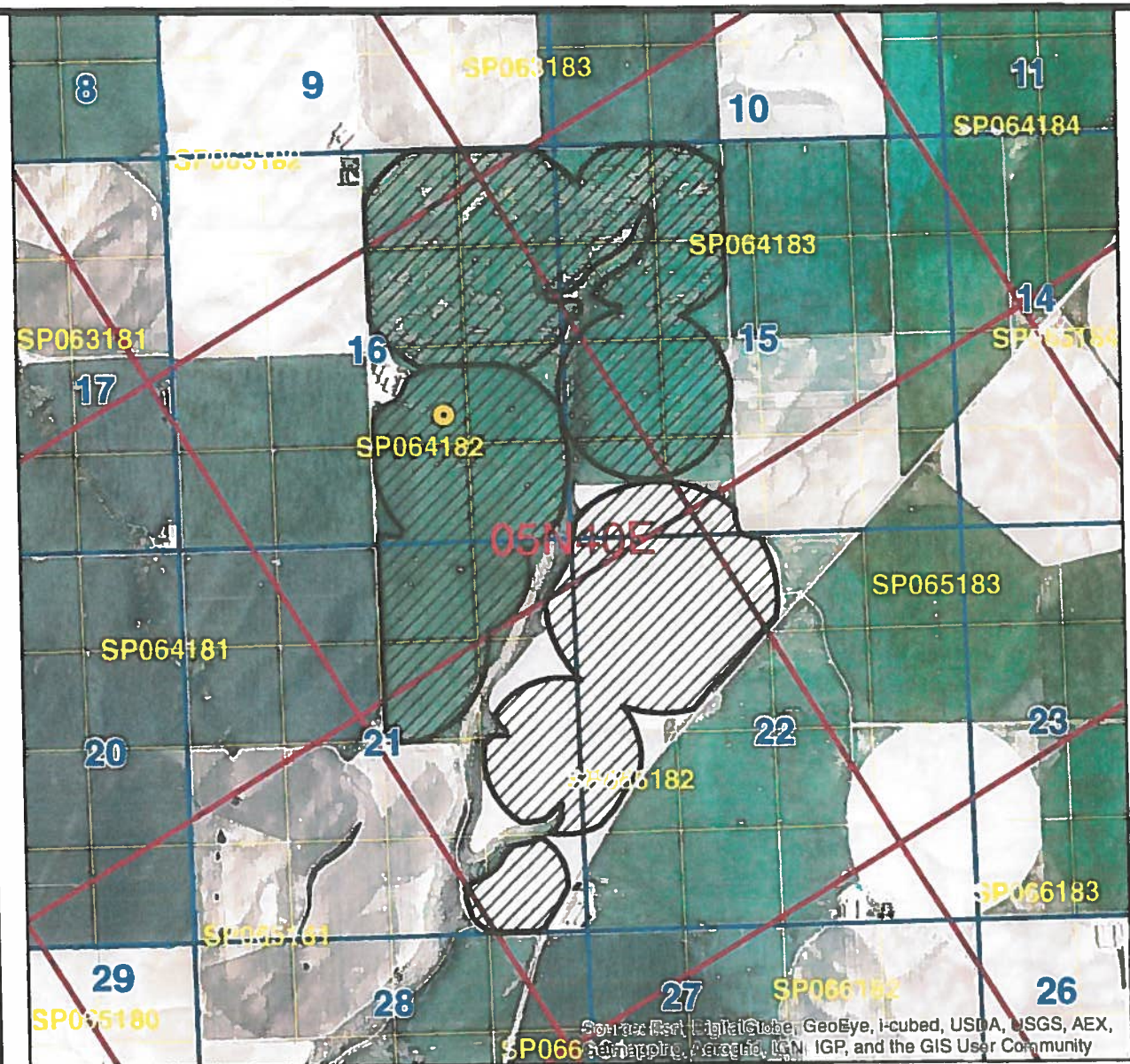
Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

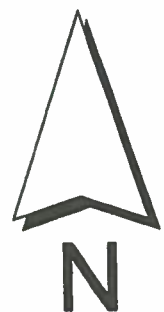


0 1,200 2,400 4,800 Feet

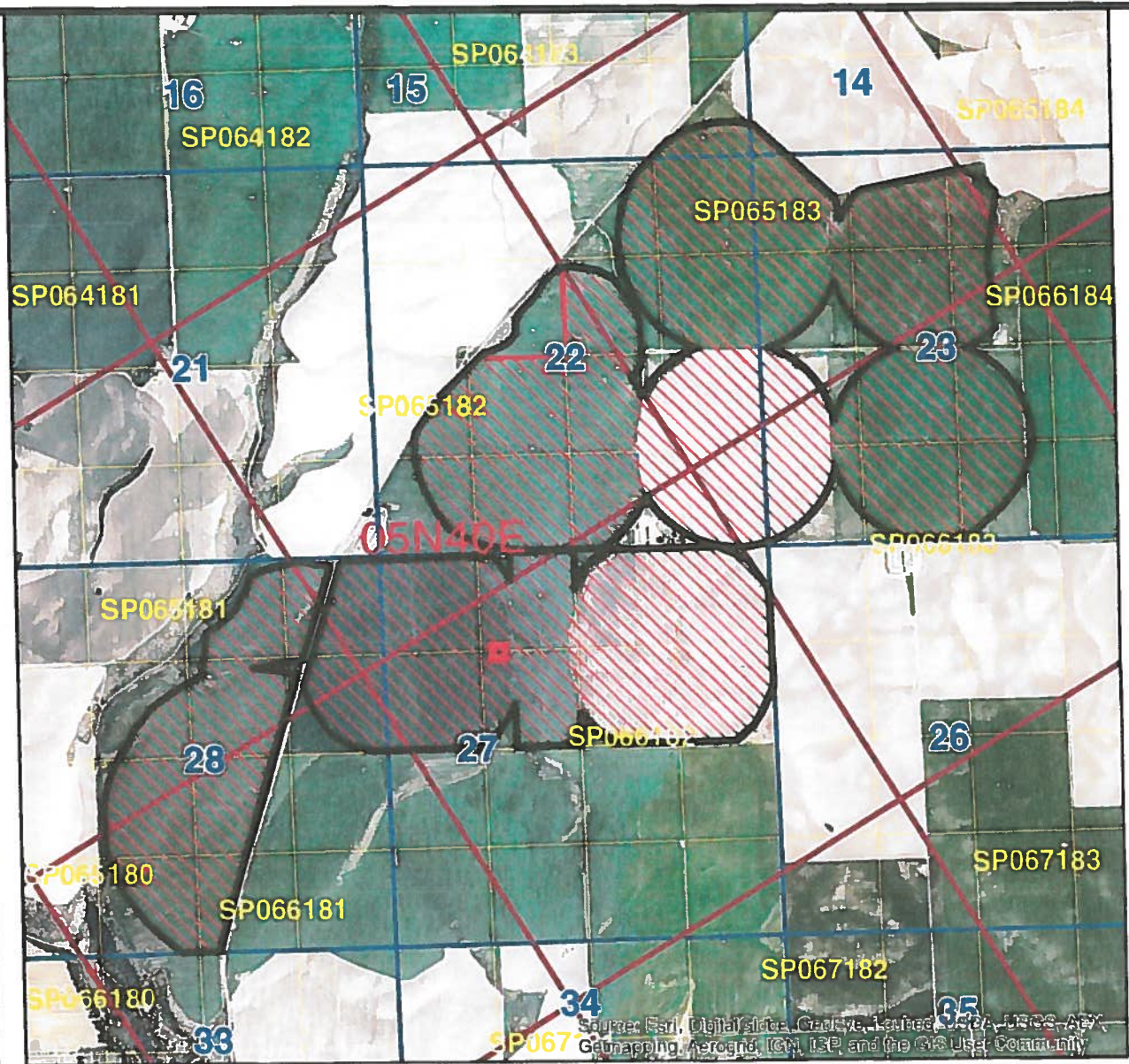
1 inch = 2,220.14 feet

Legend

- Proposed POD
- Proposed POU
- modelgrid
- Township/Range
- Sections
- QQ



78700

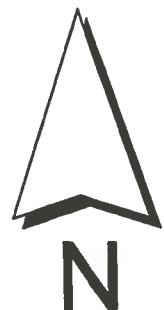


0 1,200 2,400 4,800 Feet

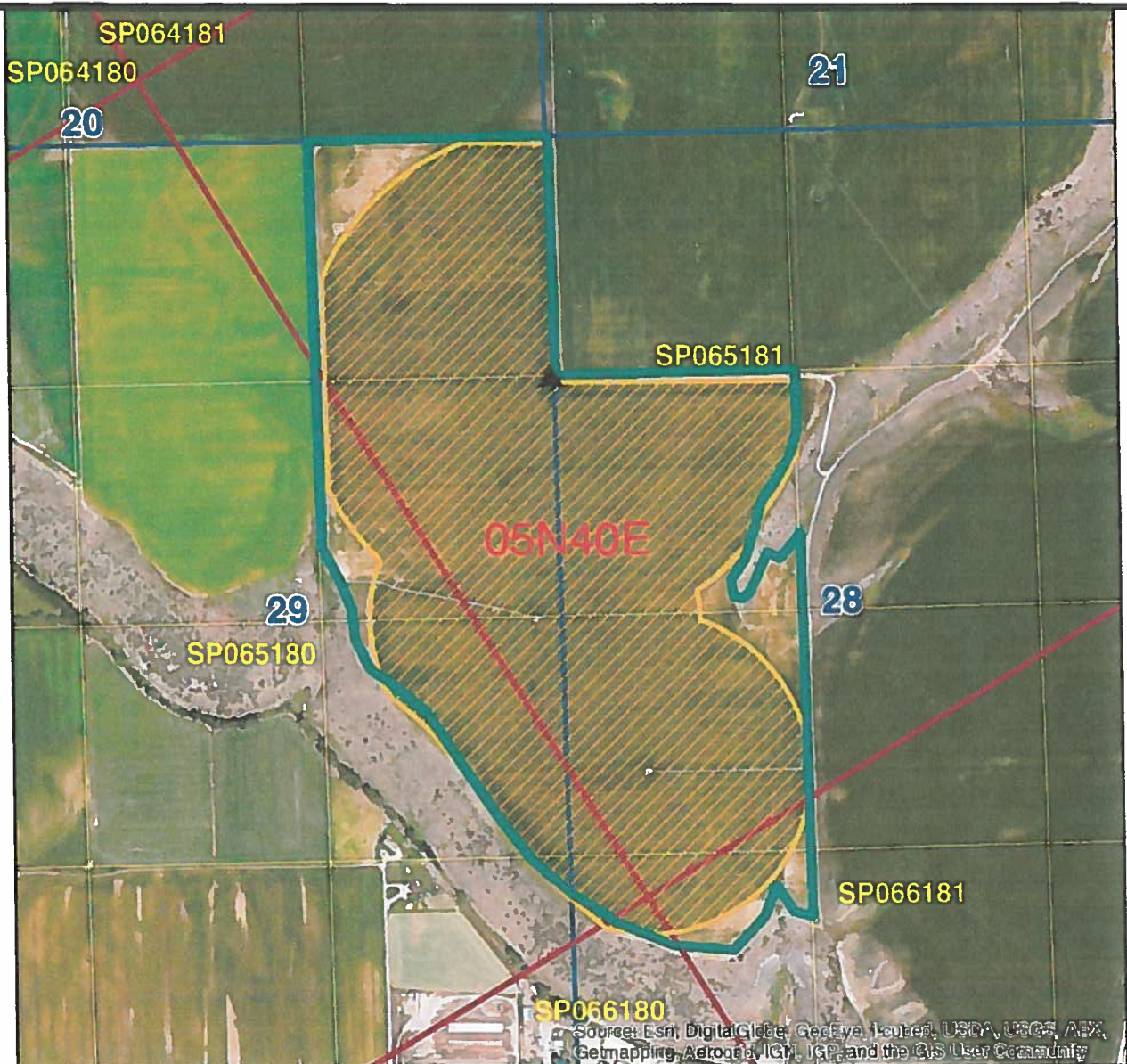
1 inch = 2,230.37 feet

Legend

- Current POD 22-2190 22-7408 22-13518
- Current_POU_22-2190_22-7408_22-13518
- POU_After_Transfer 22-2190_22-7408_22-13518
- modelgrid
- Township/Range
- Sections
- QQ



78700

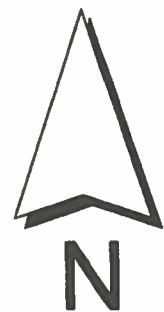


0 500 1,000 2,000 Feet

1 inch = 914.3 feet

Legend

- ▲ Current POD 22-2250
- Current_POU_22-2250
- POU after transfer 22-2250
- modelgrid
- Township/Range
- Sections
- QQ



State of Idaho
Department of Water Resources
322 East Front Street
Idaho Falls, ID 83402

To whom it may concern:

This letter is in regards to the proposal for Kevin Webster, Janet Webster, Webster Goose Hollow Farm LLC and Shawn Webster to transfer partial water rights. We acknowledge the application for water right transfers and consent to the changes.

Signed by:


Kevin Webster


Janet Webster


Webster Goose Hollow Farm LLC


Shawn Webster