



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

June 8, 2011

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BLAINE M AND DENNIS H WEBSTER
4323 E GLENDALE RD
PRESTON, ID 83263

RE: Transfer No. 77309
Water Right No(s). 13-299, 13-300

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on June 15 and 22, 2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, June 08, 2011 12:10 PM
To: 'copy@prestoncitizen.com'
Subject: legal ad for your paper
Attachments: Preston Citizen E-Mail.doc

Contacts: Preston Citizen

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

BLAINE M WEBSTER and DENNIS H WEBSTER, 4323 E GLENDALE RD, PRESTON, ID 83263 has filed Application No. 77309 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-299, 13-300; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion. The point of diversion is in the SESWSE Sec 2 T15S R40E for 2.88 cfs. The place of use remains the same for 68 acres.

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before July 5, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on June 15 and 22, 2011



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 08, 2011

KIRK IVERSON
WATER DISTRICT 13A
2724 S 1400 WEST
PRESTON, ID 83263

RE: Application for Transfer 77309
Water Right Number(s) 13-300 , 13-299

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Return Service Requested

4323 E. Glendale Rd
Preston, ID 83263



NIXIE 841 SE 1 00 06/03/11

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 83402170073 *1836-03295-31-44



834021700

RECEIVED

JUN 03 2011

Department of Water Resources
Eastern Region

FULLER & FULLER, PLLC

Attorneys and Counselors at Law

24 North State ♦ P.O. Box 191 ♦ Preston, Idaho 83263

www.fullerlawonline.com

STEVEN R. FULLER*

LYLE J. FULLER*

Telephone: (208) 852-2680

Fax: (208) 852-2683

*Also Member of Utah Bar

Steven R. Fuller
sfuller@fullerlawonline.com

Lyle J. Fuller
LFuller@fullerlawonline.com

June 2, 2011

IDWR
Eastern Region
900 North Skyline Drive
Suite A
Idaho Falls, ID 83402

Re: Webster Farm, LLC/Transfer of Water Right/Point of Diversion

Dear Department of Water Resources:

Please find the following enclosed documents:

1. Application for Transfer of Water Right - Point of Diversion by Webster Farm, LLC;
2. Water Right Report for Water Right No. 13-299;
3. Water Right Report for Water Right No. 13-300;
4. Topographical Map showing new point of diversion, open ditch and pipeline system;
5. Check from my operating account payable to Idaho Department of Water Resources in the amount of \$330.00.

These documents have been re-submitted pursuant to your request in order to include the stock water right. Please note the IDWR record for Water Right No. 13-300 shows an irrigation right of 1.5 cfs and a stock water right of 0.02 cfs and a total diversion of 1.5 cfs. The record needs to be corrected to reflect the total diversion to be 1.52 cfs.

Please direct any further correspondence to my office regarding this application for transfer of water right.

IDWR
June 2, 2011
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If other information is needed, please let me know.

Sincerely,



Steven R. Fuller
FULLER & FULLER, PLLC

SRF:sh

encl

cc: Dennis Webster, w/encl - 4323 East Glendale Rd



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 31, 2011

DENNIS H OR BLAINE M WEBSTER
RT 3
PRESTON, ID 83263

RE: Application for Transfer

Dear Applicant(s):

The Department of Water Resources has received your application for transfer. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. We are returning your application and filing fee to allow you to complete the necessary items.

The required information is described below:

1. No. 5 on the application needs to be amended to include the stock-water point of diversion,
2. Are you digging a new ditch to transport water, or is there an existing ditch?
 - a. If a new structure is being built to transfer the water, please have the Joyce-Smith Family Trust provide written authorization to cross the property.
 - b. If there is an existing ditch structure, please provide written authorization from the ditch company allowing the use of the structure.
3. Provide a memorandum of understanding, between yourself and Lamont-Johnson Ditch Company, stating agreement to stop using ditch for irrigation purposes.

Please feel free to contact this office if you have any questions.

Sincerely,

Kerrie Mathews
Water Resources Agent

Enclosures: Original Transfer Application and Application Fee

CC: Steven R Fuller; Fuller & Fuller, PLLC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change

1. APPLICANT(S) Webster Farm, LLC Phone 208 852 2907

2. MAILING ADDRESS 4323 East Glendale Rd City Preston

State Id Zip 83263 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 13-299; 13-300

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 2.86 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
15S	40E	2		SE	SW	SE	Franklin	Worm Creek	