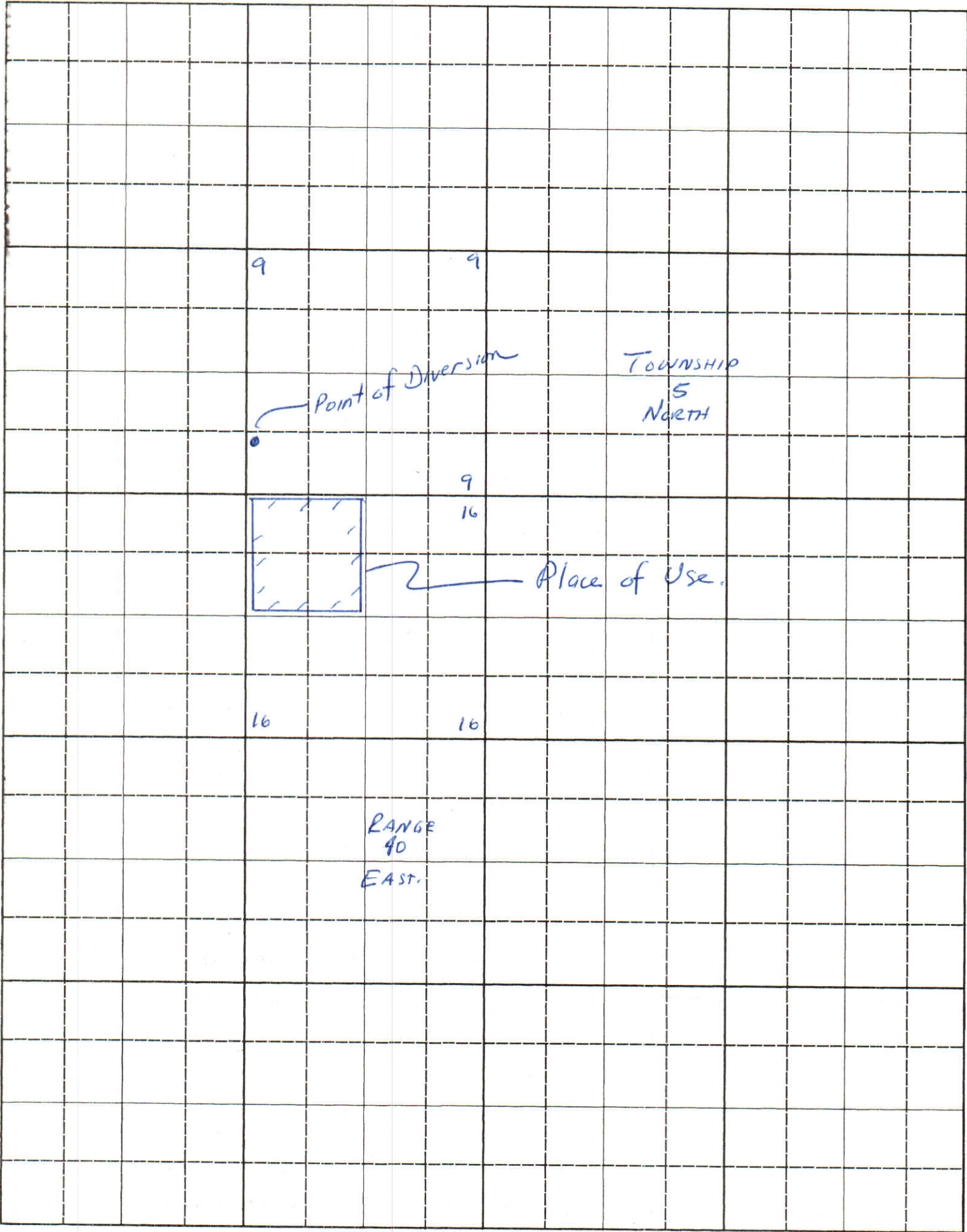


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Shelton's Deep Shell Farm, Inc.
by B. K. Shelton V.P.
(Applicant)

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Application For Water Right

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on July 15, 1982
and the last publication having been made

on July 22, 1982

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Subscribed to and sworn to before me

this July 23, 1982

SEAL)

Notary Public.

My commission expires Life.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following
application(s) have been submitted for permit
to appropriate the public waters of the State
of Idaho:

22-7408

WEBSTER DEEP WELL FARM INC., 519

E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 06/30/1982

Amount: 8.00 CFS

Diversion Point: NENW Sec 27 T 05N R
40E, MADISON Co.

Use: IRRIGATION (8.00 CFS) from 04/01
to 11/01

Place of Use: NENE NWNÉ SWNE SENE
Sec 22 T 05N R 40E NWNE SWNE NENW
NWNW SWNW SENW NESW NWSW SWSW
SESW NWSE SWSE Sec 23 T 05N R 40E
SESW NWSE SWSE Sec 28 T 05N R 40E
FOR 595 ACRES

Diversion Means: WELL PUMP &
SPRINKLER SYSTEM

22-7409

WEBSTER DEEP WELL FARM INC., 519

E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 06/30/1982

Amount: 3.00 CFS

Diversion Point: SWSW Sec 09 T 05N R
40E, MADISON Co.

Use: IRRIGATION (3.00 CFS) from 04/01
to 11/01

Place of Use: NENW NWNW SWNW
SENW Sec 16 T 05N R 40E FOR 160
ACRES

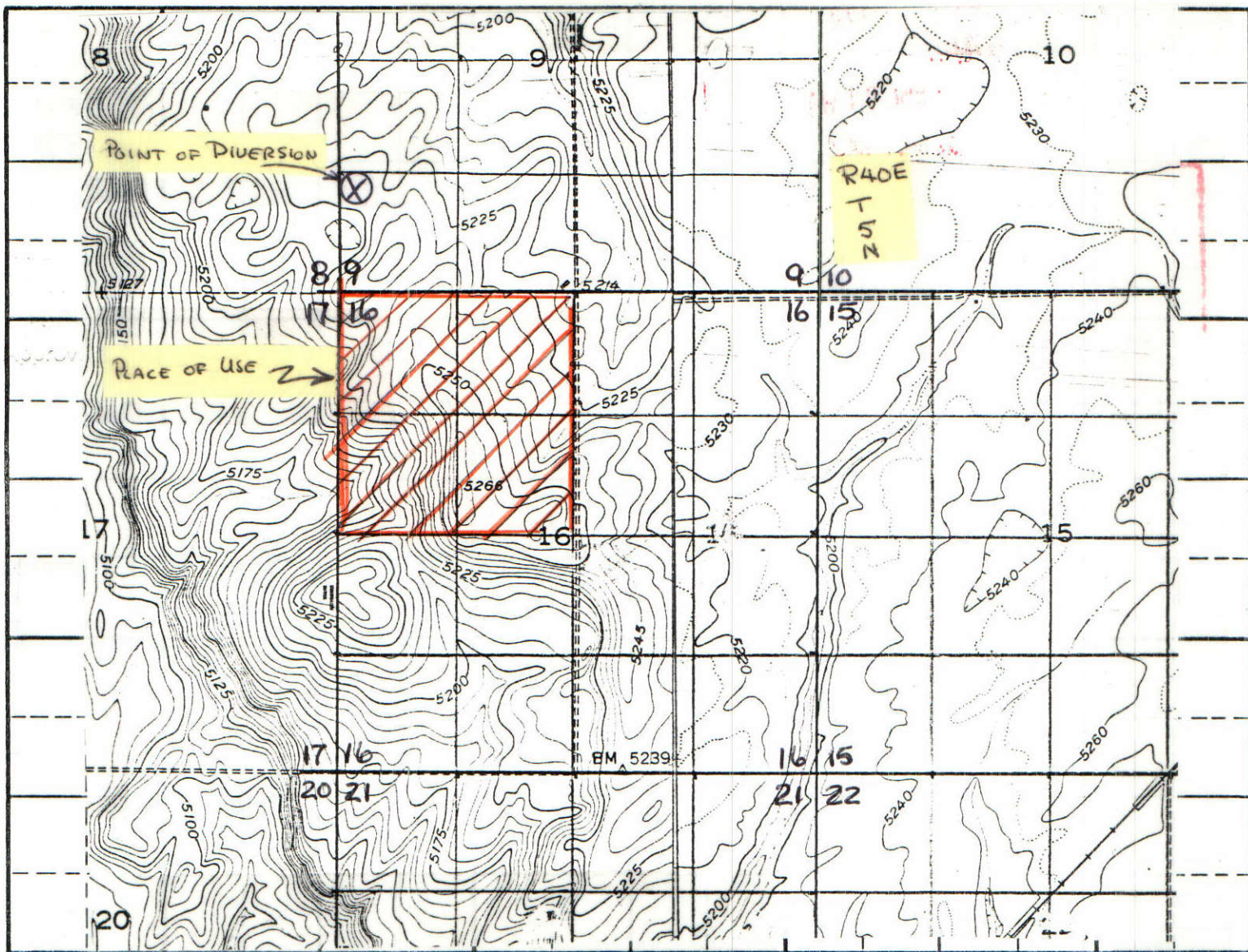
Diversion Means: WELL PUMP &
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all
prior water rights. Protests against the
granting of any permit must be filed with the
Director of the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho Falls,
Idaho 83402 on or before AUGUST 2,
1982.

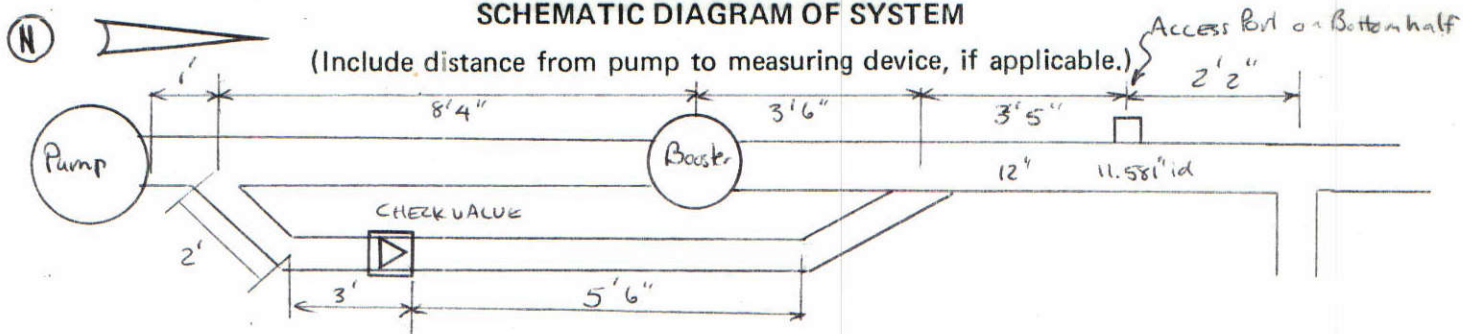
/s/A. KENNETH DUNN
Director

Publ. July 15 and 22, 1982JS

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: Sw¹/₄ Sw¹/₄ Sec 9 T5N R40E

Place(s) of Use

[illegible]

Total	158
-------	-----

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date _____

Date _____

Date _____

11 July 1983

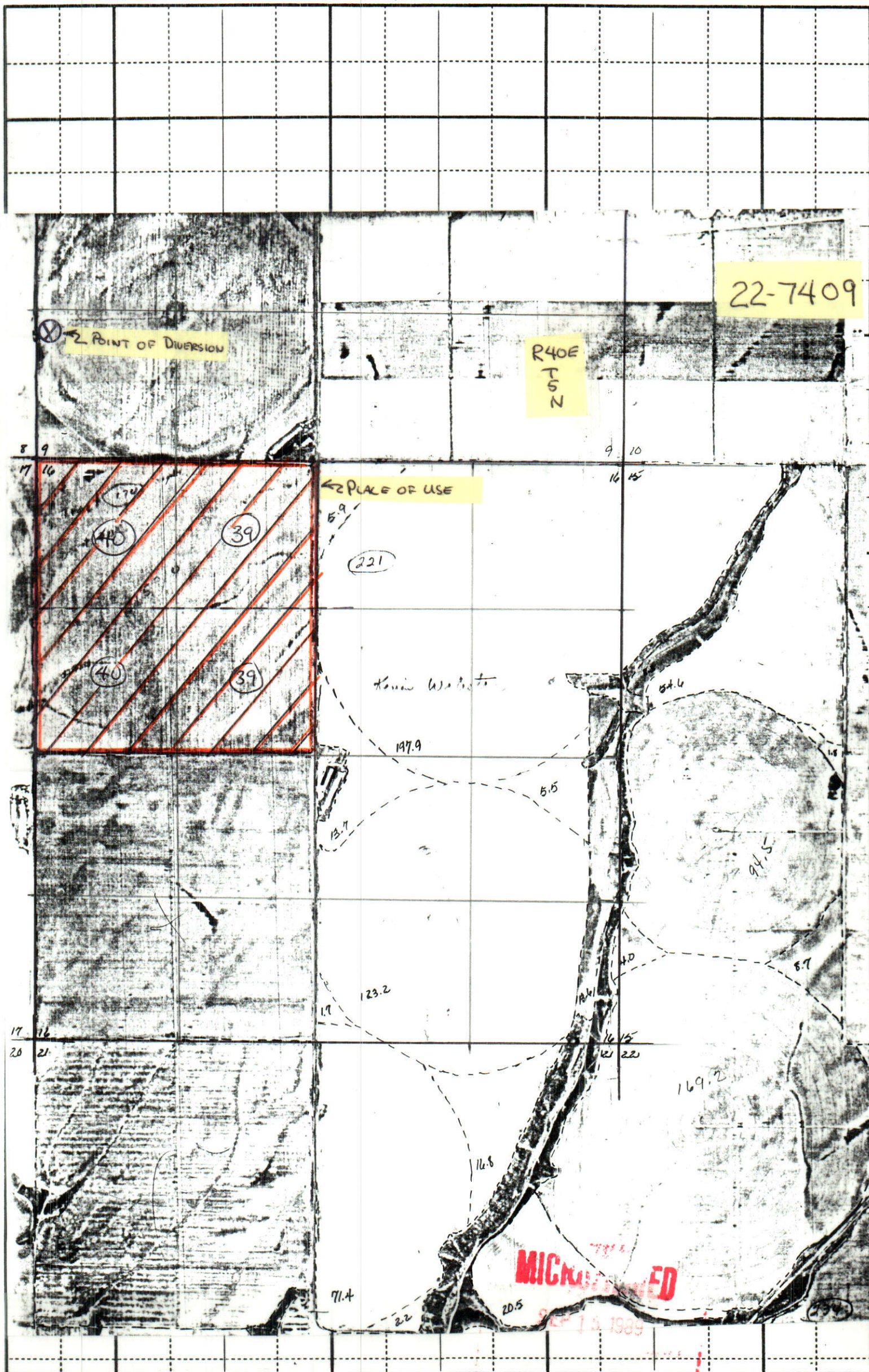
3-26'-86

11/25/88

NAME OF APPLICANT

Webster Deep Well 22-7409

Form No. 0



SCALE:

Draw Plan In Ink.

22-7409

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 22-07409

Priority: August 2, 1982

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume:¹ 553.0 AF

This is to certify, that WEBSTER DEEP WELL FARM INC.
519 E. 350 S.

REXBURG, ID 83440 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1982; and has submitted Proof of Beneficial Use on October 4, 1983. An examination indicates that the works have a diversion capacity of 4.500 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	3.00 CFS	553.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 9, Township 05N, Range 40E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	40E	16	NENW 39	NWNW 40	SWNW 40	158
			SENW 39			
Total number of acres irrigated:						158

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The maximum combined rate of diversion under this right & Right 22-2255 shall not exceed 5.7 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22ND day of AUGUST, 1989.

MICROFILMED

SEP 15 1989

Acting for

R. Keith Higginson
R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-7409 IN THE)
NAME OF WEBSTER DEEP WELL FARM, INC.) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1983; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 4, 1983;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 22-7409 be REINSTATED and the priority advanced to August 2, 1982.

Dated this 13th day of October, 1983.


L. GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Webster Deep Well Farm, Inc. Phone 356-3845

Post office address 519 East 350 South, Rexburg, ID 83440

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 5N

Range 40E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.00 for irrigation purposes from 4/01 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 24 inches; proposed depth of well is 450 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	40E	16					40	40	40	40									160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. None

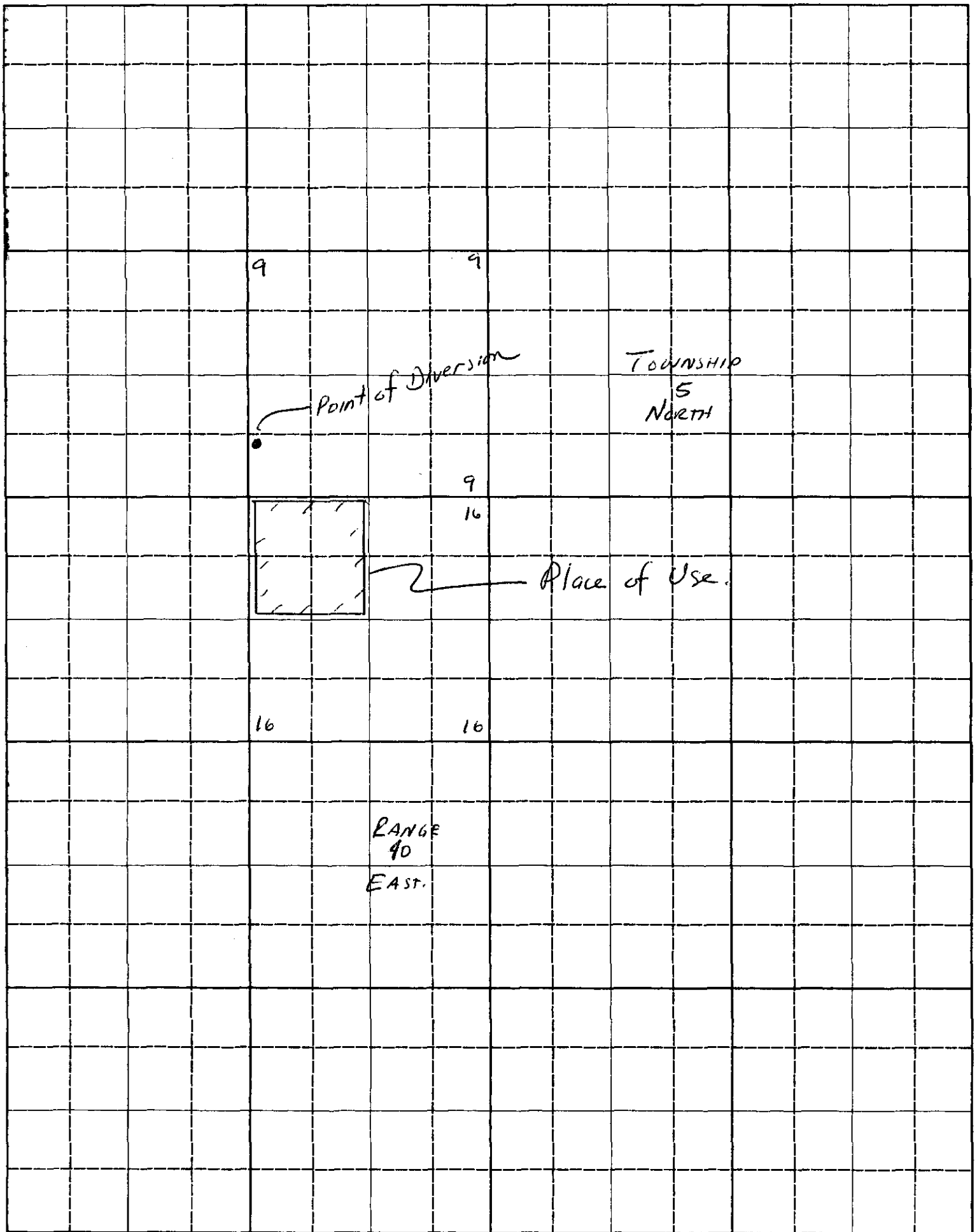
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT ~~KNOW~~ KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Shelbete's Deep Shell Farm, Inc.
by B. K. Shelbete V.P.
(Applicant)

Proposed Priority 6/30/1982

Received by SM Date 6/30/82 Time 4:15

Preliminary check by KCW Fee \$ 8500

Received by CW Date 6-30-82 # 22354

Publication prepared by BP Date 7-8-82

Published in Stanford Journal

Publication dates 7-15 & 7-22-82

Publication approved RC for CW Date 8/17/82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7409, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20 day of August, 1982.

David R. Tuttle
Acting Chief, Operations Bureau

**The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO**

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Application For Water Right

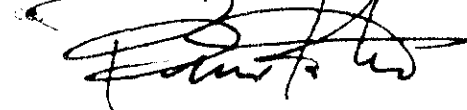
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on July 15, 1982
and the last publication having been made

on July 22, 1982

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-



Subscribed to and sworn to before me

this July 23, 1982

Notary Public.

My commission expires 11/1/84.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following
application(s) have been submitted for permit
to appropriate the public waters of the State
of Idaho:

22-7408

WEBSTER DEEP WELL FARM INC., 519

E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 06/30/1982

Amount: 8.00 CFS

Diversion Point: NENE Sec 27 T 05N R
40E, MADISON Co.

Use: IRRIGATION (8.00 CFS) from 04/01
to 11/01

Place of Use: NENE NWNE SWNE SENE
Sec 22 T 05N R 40E NWNE SWNE NENE
NWNW SWNW SENW NESW NWSW SWSW
SESW NWSE SWSE Sec 23 T 05N R 40E
SESW NWSE SWSE Sec 28 T 05N R 40E
FOR 595 ACRES

Diversion Means: WELL PUMP &
SPRINKLER SYSTEM

22-7409

WEBSTER DEEP WELL FARM INC., 519

E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 06/30/1982

Amount: 3.00 CFS

Diversion Point: SWSW Sec 06 T 05N R
40E, MADISON Co.

Use: IRRIGATION (3.00 CFS) from 04/01
to 11/01

Place of Use: NENE NWNE SWNE SENE
Sec 16 T 05N R 40E FOR 180
ACRES

Diversion Means: WELL PUMP &
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all
prior water rights. Protests against the
granting of any permit must be filed with the
Director of the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho Falls,
Idaho 83402 on or before AUGUST 2,
1982.

/s/A. KENNETH DUNN
Director

Publ. July 15 and 22, 1982JS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 15, 1999

Steven R. Parry
Anderson, Nelson, Hall, Smith, P.A.
P.O. Box 51630
Idaho Falls, Idaho 83405-1630

Re: Water Right Nos. 22-02190, 22-07408, 22-07325, 22-2255,
22-07409, and 22-07494

Dear Mr. Parry:

As you noted in your letter dated February 15, 1999, the questions you have asked concerning the equitable division of these rights are complex requiring a block of uninterrupted time to properly consider and respond. I have finally been able to focus on the questions and offer the following thoughts to assist you in this matter. I apologize for the delay and hope that this response will be of value to you and your clients at this time.

A. Methods for Dividing Water Rights to Even Up the Amount of Water
Allocated to the Land.

There are several procedures that could be used to balance the water between the parties so that each acre receives a proportionate share of the water. One method would be to divide each of the water rights proportionately between the three owners then file a transfer moving each owner's share of each right to the wells and land he owns. The water rights should be divided based upon the fraction of the irrigated land owned by each owner. A transfer can not expand the number of acres covered by each water right, but by using permissible place of use (ppu), all of the land owned by each brother could be listed as the place of use on his share of each right with a limitation on the number of acres irrigated under the right each year. This method has the advantage of allowing the priority dates and annual diversion volumes to be shared equitably. It has the disadvantage of fragmenting the rights, essentially tripling the number of filings.

Another possible approach is to file a transfer of each right listing all wells as the point of diversion and all of the land as the place of use but limiting the acreage irrigated under each right to that authorized under the right (the ppu concept). Each brother would then be given an appropriate undivided share in each of the rights, the amount based upon the fraction of the total irrigated acreage he owns. This provides maximum flexibility in

the use of the rights, but could turn into a record-keeping nightmare depending upon how further splits of the property occur.

B. Amendment of License to Remove a Restrictive Condition.

While Idaho statutes do not provide a specific procedure for reissuing a license to correct an error made by the department, IDWR has done so in the past when the information available clearly demonstrated that the department erred in the licensing process. Licenses will not be amended to conform to a change in policy or law occurring after the license was issued. A review of IDWR's file for License No. 22-07408 does not provide the information necessary to conclude that IDWR clearly erred in issuing the license and that IDWR should initiate action to amend the license at this time. However, I am willing to further review whether the ½ miner's inch per acre policy was properly and appropriately applied if an appropriate petition is filed seeking amendment of the license. Attached for your convenience is a copy of the ½ miner's inch per acre policy as used to evaluate adjudication claims.

A threshold question will be whether a petition can be considered timely filed more than six years after issuance of the license. If IDWR does find that the petition is timely, the petitioner must demonstrate that IDWR erred in applying the ½ miner's inch policy or made some other error in the licensing process. If error is clearly shown, the petitioner will also need to establish that water was used beneficially to grow crops in the same season on all 1275 acres during the permit development period and in accordance with the terms and conditions of the permit.

In recent months, IDWR's procedure for amending licenses has been questioned by an attorney representing the Twin Falls Canal Company and the Northside Canal Company. As you know, holders of senior surface and ground water rights are concerned that ground water development in the Snake River Basin has reduced water available under their rights. Their concern has helped prompt the ongoing effort to tighten management of ground water diversion and use in the Snake River Basin. Some senior water users have expressed concern that license amendment could be used to expand the use of ground water and have asked that IDWR provide notice of any license amendments that involve the use of ground water in the Eastern Snake Plain Aquifer (ESPA). Attached is a copy of correspondence regarding this matter.

The water right which you suggest amending (22-07408) diverts from a well located just to the east of the ESPA as defined in the "Rules for Conjunctive Management of Surface and Ground Water Resources." However, the geo-hydrologic information available to the department does indicate a close relationship between the ground water in the Rexburg Bench area and the flow of Henrys Fork of Snake River. For this reason, notice of a petition to amend the license will be given to interested holders of senior priority rights to allow opportunity for objections.

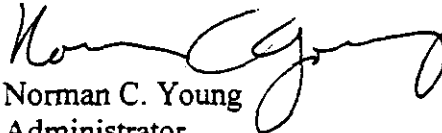
C. Miscellaneous

A key part of the plan for division of water that you have suggested involves the filing of a claim from or an amendment of License No. 22-07325 to address the 277 acre parcel south of the railroad track. I am not aware of a precedent for applying the enlargement procedure of Section 42-1426, Idaho Code, to a parcel of land already having a water right and then moving the place of use of the existing right to another parcel of land under the accomplished transfer provisions of Section 42-1425, Idaho Code. I assume these filings would be made for consideration by the SRBA court. If the filings are made, the department's adjudication staff will review them and a recommendation will be made to the court at that time.

Regarding lapsed permit No. 22-07494, Section 42-218a(2), Idaho Code, may provide a basis for seeking reinstatement of the right. Note that application of this statute requires that beneficial use must have occurred during the permit period and the permit holder must demonstrate a reason for not having filed the proof of beneficial use on time.

I hope that the above discussions are of value to you. If you want to discuss these or other ideas in more detail, I will be happy to do so by telephone or to meet with you.

Sincerely,



Norman C. Young
Administrator
Water Management Division

Enclosures - *See file # 22-02190*

cc: Harold "Skip" Jones - Idaho Falls Regional Office of IDWR

August 24, 1989

WEBSTER DEEP WELL FARM INC.
519 E. 350 S.
REXBURG, ID 83440

RE: PERMIT NO. 22-07409

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 15 1989

July 6, 1989

WEBSTER DEEP WELL FARM INC.
519 E. 350 S.
REXBURG, ID 83440

RE: PERMIT NO. 22-07409

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 15 1989



POD OVERLAP REV

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
2207409 2202255	05N	40E	9	SW SW		GROUNDWATER GROUNDWATER	WEBSTER DEEP W SMITH, PAULINE

MICROFILMED

SEP 15 1989

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

RECEIVED

22-7409

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

APR 1 1986

REMARKS

- ☐ Appointment letter mailed:
- ☐ Telephone call made
(List Telephone No. used)
- ☐ Appointment scheduled for:
(Date, time, location)

Department of Water Resources

EXAMINATION

19 Mar 1986 verified P/D: P/u after land swap. No effect on this permit.

Date 11 July 1983 Accompanied by Kirk Webster Total Q measured 4.50 cfs

Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? NO

If source is surface water, estimate total flow of source

Methods of measurement Annubar # 191158 Meets permit requirements? Yes

Eagle Eye Meter # 091473

Measurement calculations: $12.8'' W/K = 1.043$

$$Q = (3.85 \times 10^{-2} \times \sqrt{12.8}) K = [3.85 \times (11.85)^2 \times \sqrt{12.8}] 1.043 = 2017.72 \text{ gpm} = 4.50 \text{ cfs}$$

$$158 \text{ ac} \times 0.02 \text{ cf} / \text{gc} = 3.16$$

Q LIMITED By Permit = 3.0

$$V = 158ac \times 3.5afu = \underline{553afu}$$

$$V = 3.0 \times 1.9835 \times 214 = 1273 \text{ afa}$$

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
Well	400	U.S. Motors	C9538-371	Layne/Burke	44406	Annubar 12"	Good	
Booster	100	U.S. Motors	1401608	Layne/Burke	559632	-	-	-

System Description well pump mainline to laterals with sprinklers

Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE

Irrigation

Q (cfs)

3.00

V (afa)

553afz

FROM

41

TO

11/11

MICROFILMED

SEP 15 1989

Total

3.00

553af

Remarks R 17 (22-2255) (5.7cf)

19 Mar 86 Learned of land swap between permit holder and another individual & conducted re exam P/O; P/L to see if swap affected permit no change.

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Diagram illustrating the schematic of a water distribution system. Key components and dimensions are labeled:

- Pump**: Located at the start of the main line.
- Check Valve**: Located 3' from the pump.
- Booster**: Located 8'4" from the pump.
- Access Box**: Located 3'6" from the booster and 2'2" from the end of the section.
- Main Line**: 12' long, with an ID of 11.581".
- Section**: 5'6" long, starting 3' from the pump.

Place(s) of Use

[illegible]

Total	158
-------	-----

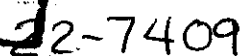
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Date 11/25/88

2 - 7409

22-7409



Draw Plan in Ink.

EASIER

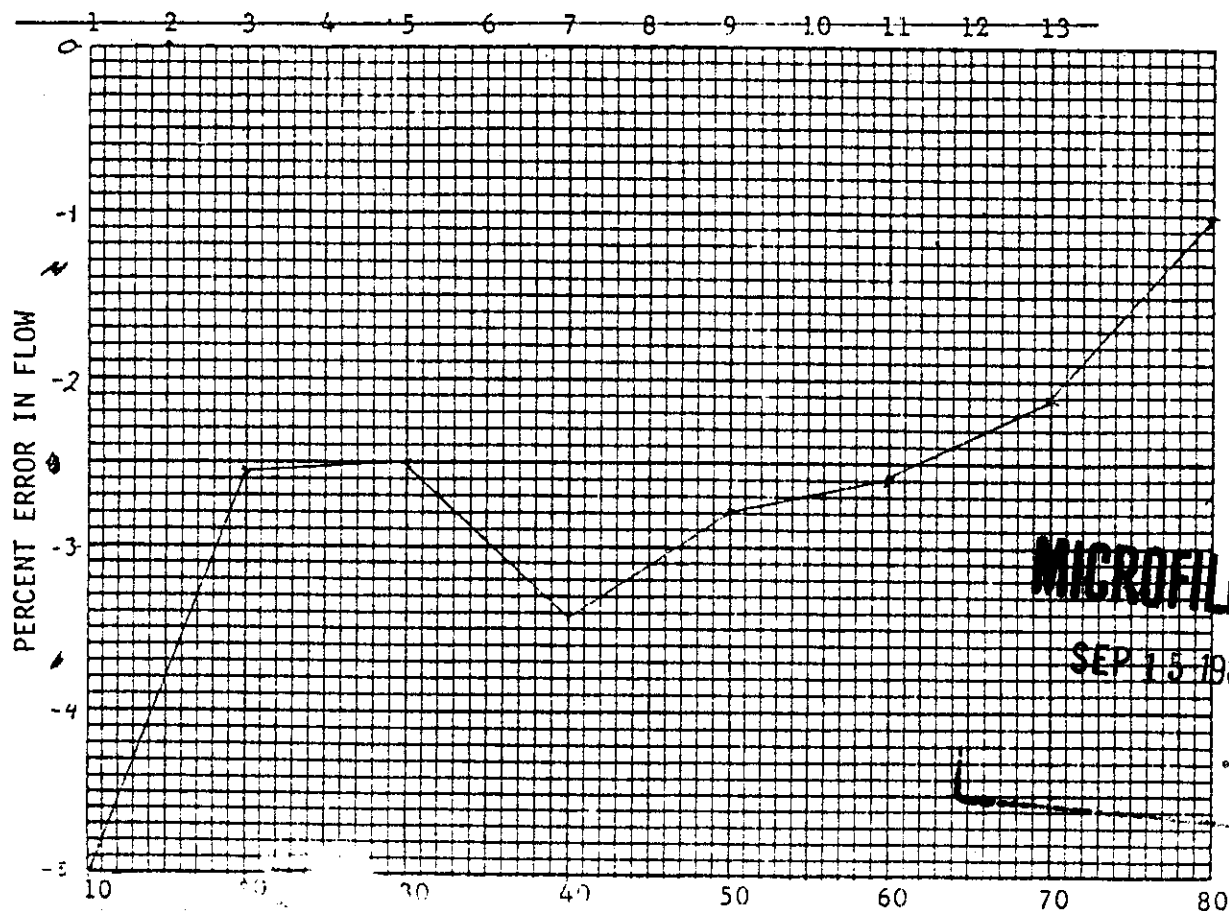
LOH
ADMMETER NO. 091473RANGE 10-80DATE TESTED 4/25/83

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE *			
11.29	10.87	11.08	10.0	-5.00	1.050
21.50	20.62	21.06	20.0	-2.55	1.025
32.14	30.97	31.56	30.0	-2.50	1.025
43.47	42.27	42.87	40.0	-3.41	1.034
53.50	52.29	52.90	50.0	-2.78	1.028
63.80	62.63	63.22	60.0	-2.58	1.026
73.47	72.59	73.03	70.0	-2.10	1.021
81.87	81.42	81.65	80.0	-1.01	1.010

K=1.043

EXAM NUMBER

22-7409



WATER RIGHT
DATA ENTRY LOG

[illegible]

INTER-DEPARTMENT MEMO — 1

FROM Keith Wilson Eastern

OCT 5 1983 DATE 9-27-83

Department of Water Resources

TO FILE (Kay Walker)

SUBJECT Applications 22-7408 / 22-7409 ✓

In talking with Mr Webster he thought that at the time the application was made that proof cards were filed. Also on 11 July 1983 I conducted the Field Exam on these permits. I believe that Mr Webster did not understand that proof was not the Exam But the Proof of Beneficial Use card. It also seems that I have seen the proof cards signed by Mr Webster prior to Sept 1983. I recommend that the priority date not be changed because of the misunderstanding between Mr. Webster and the Department.

Keith C Wilson
SIGNATURE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below. Permit No. 22-7409.

Name(s) of Permit Holder: Webster's Deep Well Farm, Inc.

Post Office Address: 519 E. 350 S.

Rexburg Id 83440 Tel. No. 356-3845

Source of Water: Well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 160 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

9/27/83
Date

B. K. Webster V.P.
Signature of Permit Holder

Webster's Deep Well Farm
519 E 350 S
Prestburg Id



OCT 2 1983

RECEIVED STATE OF IDAHO RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 22-7409

DATE: Oct. 6, 1983

Date Proof Received

Proof Due

Number of Days Proof Late

277
244
33

Oct. 4
Sept. 1

Priority Date

Number of Days Proof Late

New Priority Date

181
33
214

June 30, 1982
= Aug. 2, 1982

Remarks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WEBSTER DEEP WELL FARM, INC.
519 E. 350 S.
REXBURG, ID 83440

LAPSE NOTICE

SEPTEMBER 07, 1983

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 22-7409 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED JUNE 30, 1983.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 9/21/83
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
Shirley Curtis

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

WEBSTER DEEP WELL FARM, INC.
519 E. 350 S.
REXBURG, ID 83440

138714

PROOF DUE NOTICE

JUNE 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7409 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WEBSTER DEEP WELL FARM, INC.
519 E. 350 S.
REXBURG, ID 83440

AUGUST 31, 1982

RE: PERMIT NO. 22-7409

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: 22 7409

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No In form for advertising.
Final date for protests: Aug 2, 1982
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-6-82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
6-30-82 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: Aug 10, 1982

STATE OFFICE REVIEW:

ELW/LOB

☐ See attached sheet for more information.
By: _____

Date: 8/17/82

RECEIVED
AUG 12 1982

August 5, 1982

RE: Application for Permit No. 22-7408 WEBSTER
22-4409 "

Standard Journal
Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on July 15, and 22, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

22-7409.

WEBSTER DEEP WELL FARM, INC.

519 E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 06/30/1982

Amount: 3.00 CFS

Diversion Point: SWSW Sec 09 T 05N R 40E, MADISON Co.

Use: IRRIGATION (3.00 CFS) from 04/01 to 11/01

Place of Use: NENW NWNW SWNW SENW Sec 16 T 05N R 40E FOR 160 ACRES

Diversion Means: WELL PUMP & SPRINKLER SYSTEM