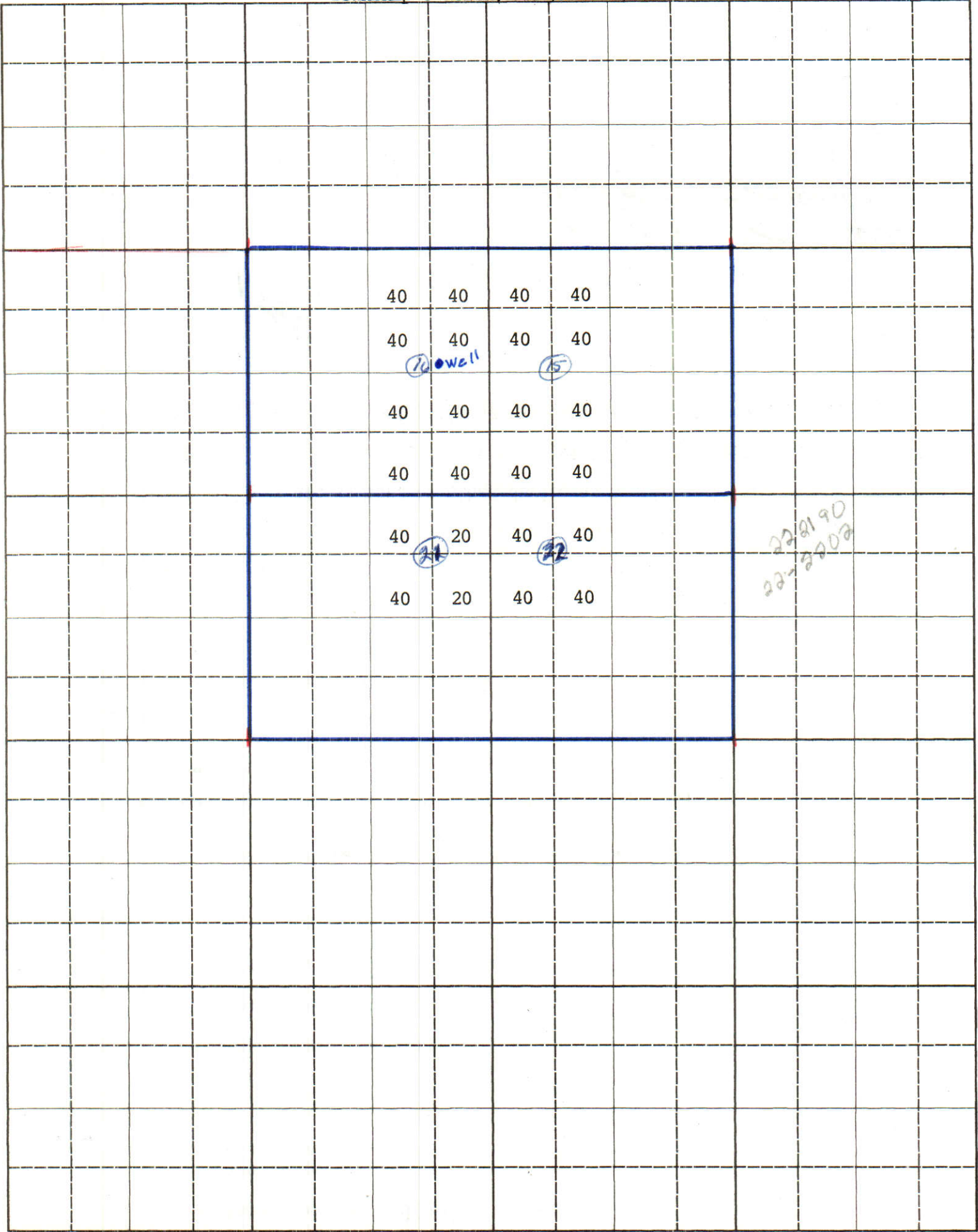


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Township 5 North, Range 40 E.B.M.



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.

WEBSTERS' DEEP WELL RANCH, INC.

(Seal)

By B. K. Webster V.P.
Vice-President (Applicant)

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

JUN 6 1980

Department of Water Resources
Eastern District Office

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 Rights

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 May 22, 1980
and the last publication having been made

on May 29, 1980

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.

[Signature]

Subscribed to and sworn to before me

this May 30, 1980

[Signature]

Notary Public.

My commission expires Life

NOTICE OF APPLICATION
FOR WATER RIGHTS

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

Application No. 22-7325

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

Source: GROUNDWATER

Date Filed: 05/09/1980

Amount: 12.80 CFS

Diversion Point: SENE Sec 16 T 05N R
40E, MADISON Co.

Use: IRRIGATION (12.80 CFS) from
04/01 to 11/01

Place of Use: NENE NWNE SWNE SENE
NESE NWSE SWSE SESE Sec 16 T 05N R
40E NENW NWNW SWNW SENW NESW
NWSW SWSW SESW Sec 15 T 05N R 40E
NENE NWNE SWNE SENE Sec 21 T 05N R
40E NENW NWNW SWNW SENW Sec 22 T
05N R 40E FOR 920 ACRES

Diversion Means: WELL, PUMPS &
PIPELINES

Application No. 22-7326

Applicant: BAKER, T. KAY RT. 1, SUGAR
CITY, ID 83448

Source: GROUNDWATER

Date Filed: 05/09/1980

Amount: 5.00 CFS

Diversion Point: NESE Sec 29 T 07N R
42E, MADISON Co.

Use: IRRIGATION (5.00 CFS) from 04/01
to 11/01

Place of Use: SESE Sec 29 T 07N R 42E
NENE NWNE SWNE NENW SENW Sec 32 T
07N R 42E NWNW Sec 33 T 07N R 42E
FOR 253 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, 1515 Lincoln Road, Idaho Falls,
Idaho 83401 on or before JUNE 9, 1980.

C. STEPHEN ALLRED
Director

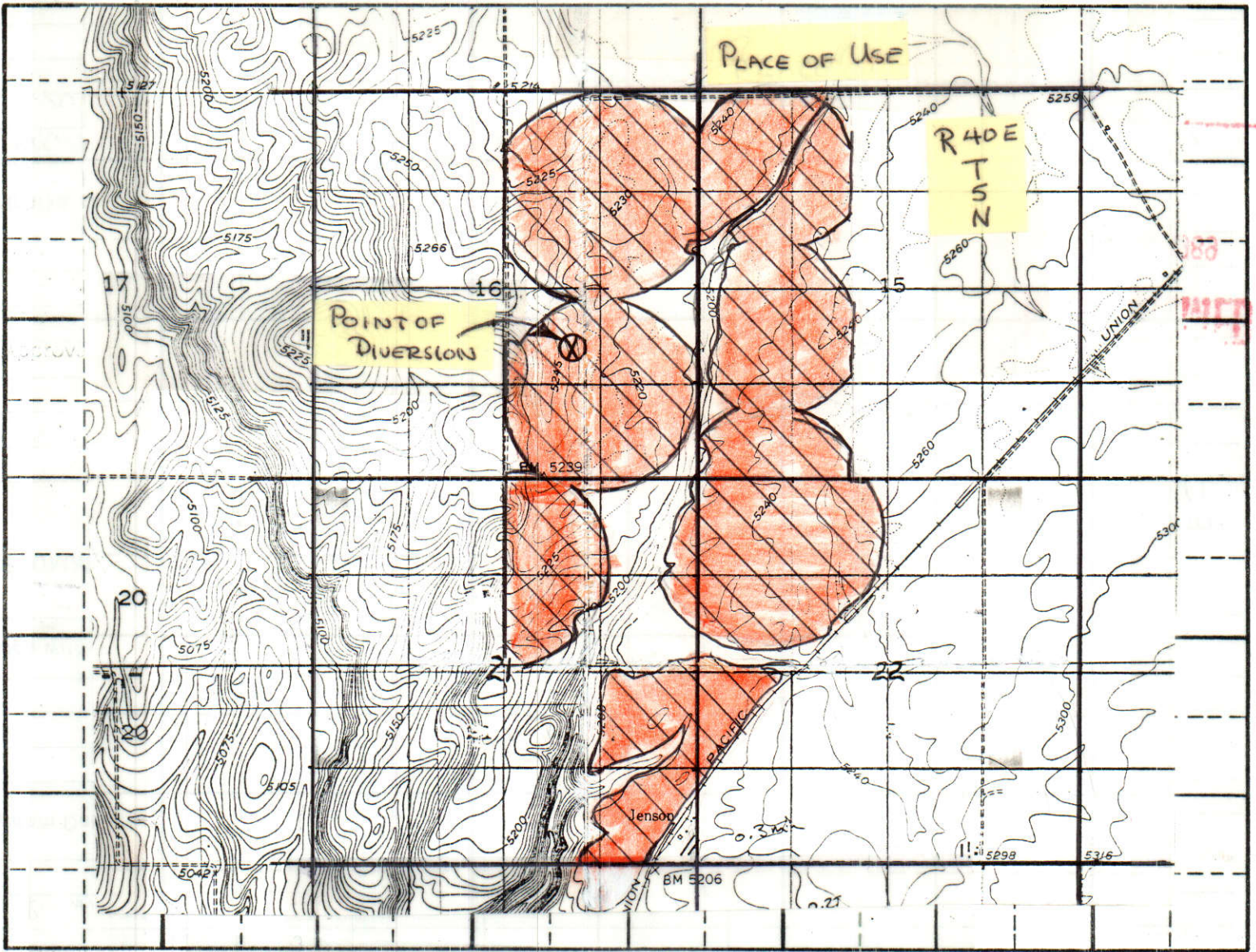
Publ. May 22, 29, 1980J

OK Lj
06/10/80

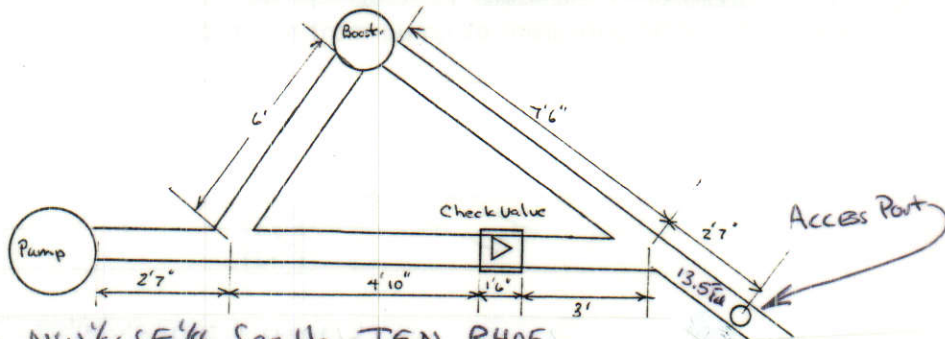
OK Lj
06/10/80

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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: NW 1/4 SE 1/4 Sec 16 T5N R40E

Place(s) of Use

[illegible]

Total	808
-------	-----

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

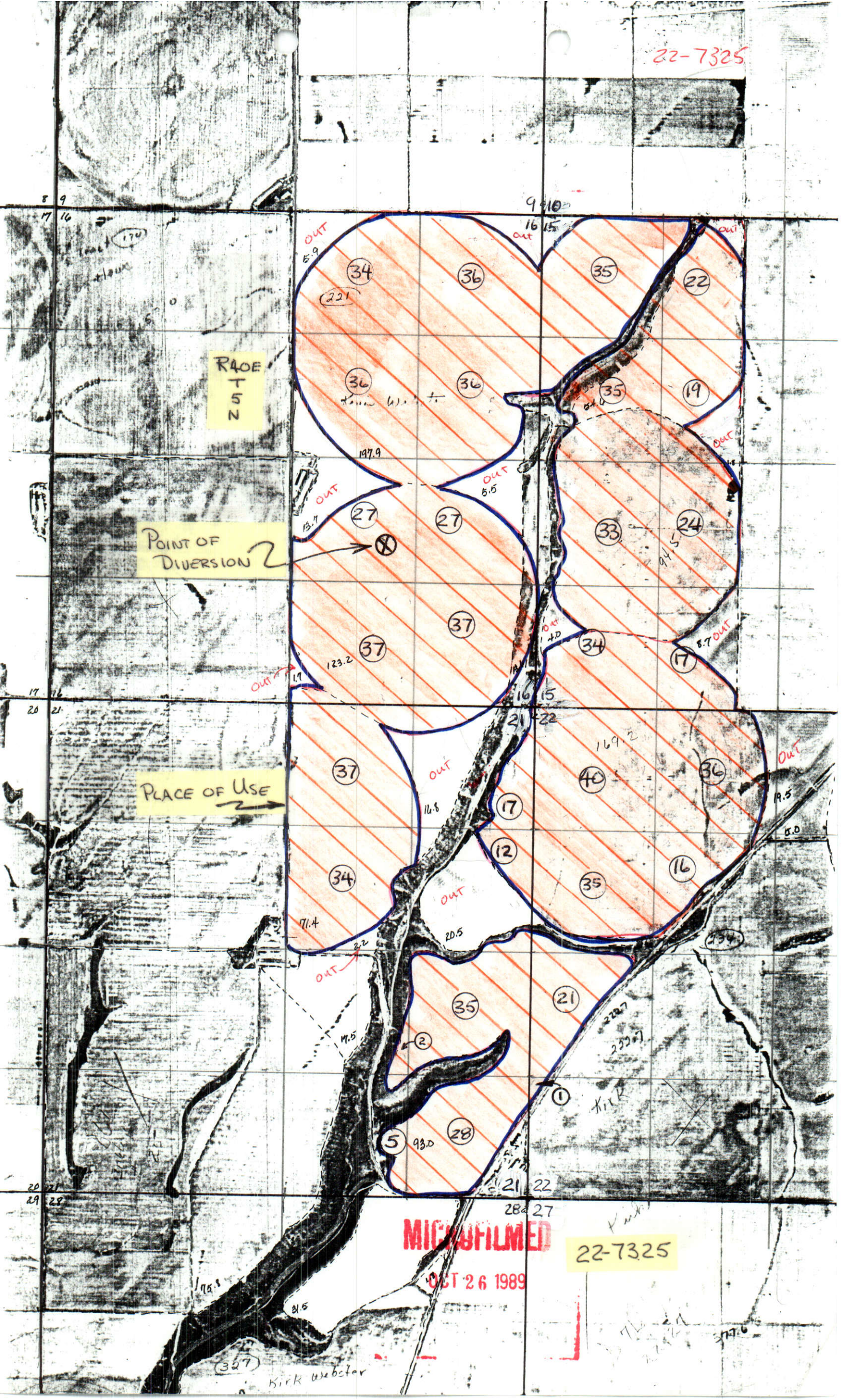
Approved by _____

Date 11 Jul 1983 / 18 March 1986

Date 3-26-86

Date 4/20/89

22-7325



RAOE
T 5
N

POINT OF
DIVERSION 2

PLACE OF USE

MICROFILMED

OCT 26 1989

22-7325

Kirk Webster

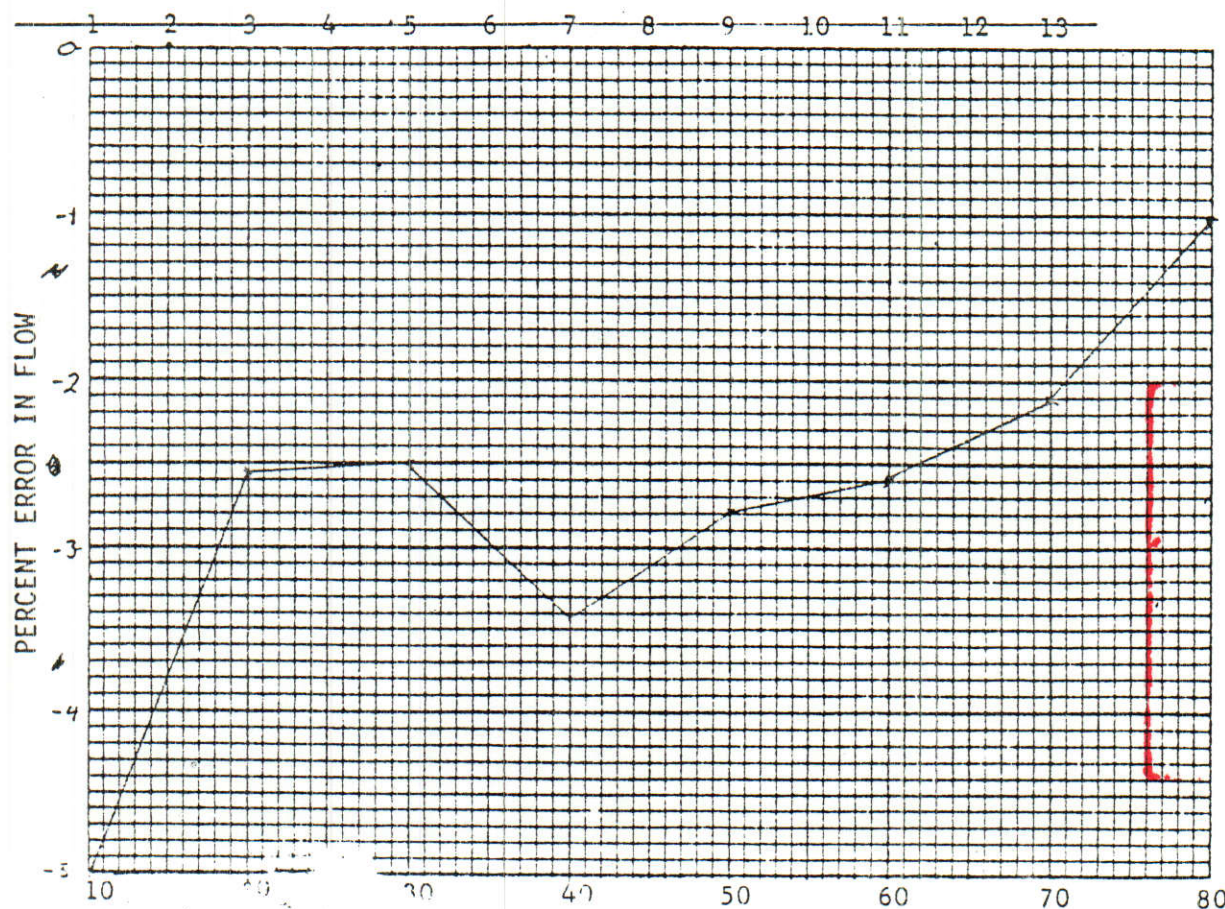
EASIER

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

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE $\times$			
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

EXAM Number

22-7325



OCT 26 1989

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07325

Priority: May 9, 1980

Maximum Diversion Rate: 8.63 CFS
Maximum Diversion Volume:¹ 2828.0 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 May 9, 1980; and has submitted Proof of Beneficial Use on June 18, 1981. An examination indicates that the works have a diversion capacity of 8.630 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	8.63 CFS	2828.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 16, 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>ACRES</u>	<u>TOTAL</u>
05N	40E	15	NENW 22	NWNW 35	SWNW 35		
			SEnw 19	NESW 24	NWSW 33		
			SWSW 34	SESW 17			219
	16		NENE 36	NWNE 34	SWNE 36		
			SENE 36	NESE 27	NWSE 27		
			SWSE 37	SESE 37			270
	21		NENE 17	NWNE 37	SWNE 34		
			SENE 12	NESE 35	NWSE 2		
			SWSE 5	SESE 28			170
	22		NENW 36	NWNW 40	SWNW 35		
			SEnw 16	NWSW 21	SWSW 1		149

Total number of acres irrigated: 808

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.

MICROFILMED

OCT 26 1989

State of Idaho
Department of Water Resources

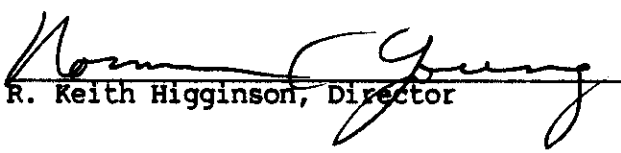
WATER RIGHT LICENSE

WATER RIGHT NO. 22-07325

CONDITIONS/REMARKS:

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 24TH
day of OCTOBER, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

OCT 26 1989

State of Idaho
Department of Water Resources

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AUG 08 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07325

Department of Water Resources

Date of Priority: May 9, 1980

Maximum Diversion Rate: 8.63 CFS
Maximum Diversion Volume: 2828.0 AF

Comes now
519 E. 350 S.
REXBURG, ID 83440

WEBSTER DEEP WELL FARM INC.

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-07325, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	8.63 CFS	2828.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE, Sec. 16, 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	15	NENW 22	NWNW 35	SWNW 35	
			SEnw 19	NESW 24	NWSW 33	
			SWSW 34	SESW 17		219
	16		NENE 36	NWNE 34	SWNE 36	
			SENE 36	NESE 27	NWSE 27	
			SWSE 37	SESE 37		270
	21		NENE 17	NWNE 37	SWNE 34	
			SENE 12	NESE 35	NWSE 2	
			SWSE 5	SESE 28		170
	22		NENW 36	NWNW 40	SWNW 35	
			SEnw 16	NWSW 21	SWSW 1	149

Total number of acres irrigated: 808

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OCT 26 1989

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at 5:15 p.m., this 5 day of August, 1989.

Webster Deep Well Farm
Shawn Webster, Treas.
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07325

FOR DEPARTMENT USE ONLY

0009099

Preliminary check by kw Fee = \$20.00 ✓ Received by sg Date 8-8-89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07325 with the following;

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.

Witness my hand this 24th day of OCTOBER, 1989.

R. Keith Higginson
Acting for R. Keith Higginson, Director

MICROFILMED

OCT 26 1989

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 E. 350 So., Rexburg, Idaho 83440

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

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 5N

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

4. Water will be used for the following purposes:

Amount 12.8 for irrigation purposes from April 1 to Nov. 1 (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. 12.8 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pumps, buried main line,
lateral lines and pivots.

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 1100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is One years (minimum 1 year - maximum 5 years). Well completed April 1, 1967 and
waters therefrom put to beneficial use in 1967, following completion of well and instal-
8. Description of proposed uses: lation of system.

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: _____

MICROFILMED

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									40	40	40	40	320
5N	40E	15					40	40	40	40	40	40	40	40					320
5N	40E	21	20	40	40	20													120
5N	40E	22					40	40	40	40									160

Total number of acres to be irrigated 920

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 Websters' Deep Well Farm, Inc.
b. Who owns the land to be irrigated or place of use Websters' Deep Well Farm, Inc.
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 Oct. 16, 1967, Florence M. Gardner, owner and holder of Permit No. 32570/22-2263, sold to Adelbert W. Webster the real property above described in Sections 16 and 15, and assigned to him for said real property a fractional part of her right, title and interest in and to said Permit, being 12.8 cfs.

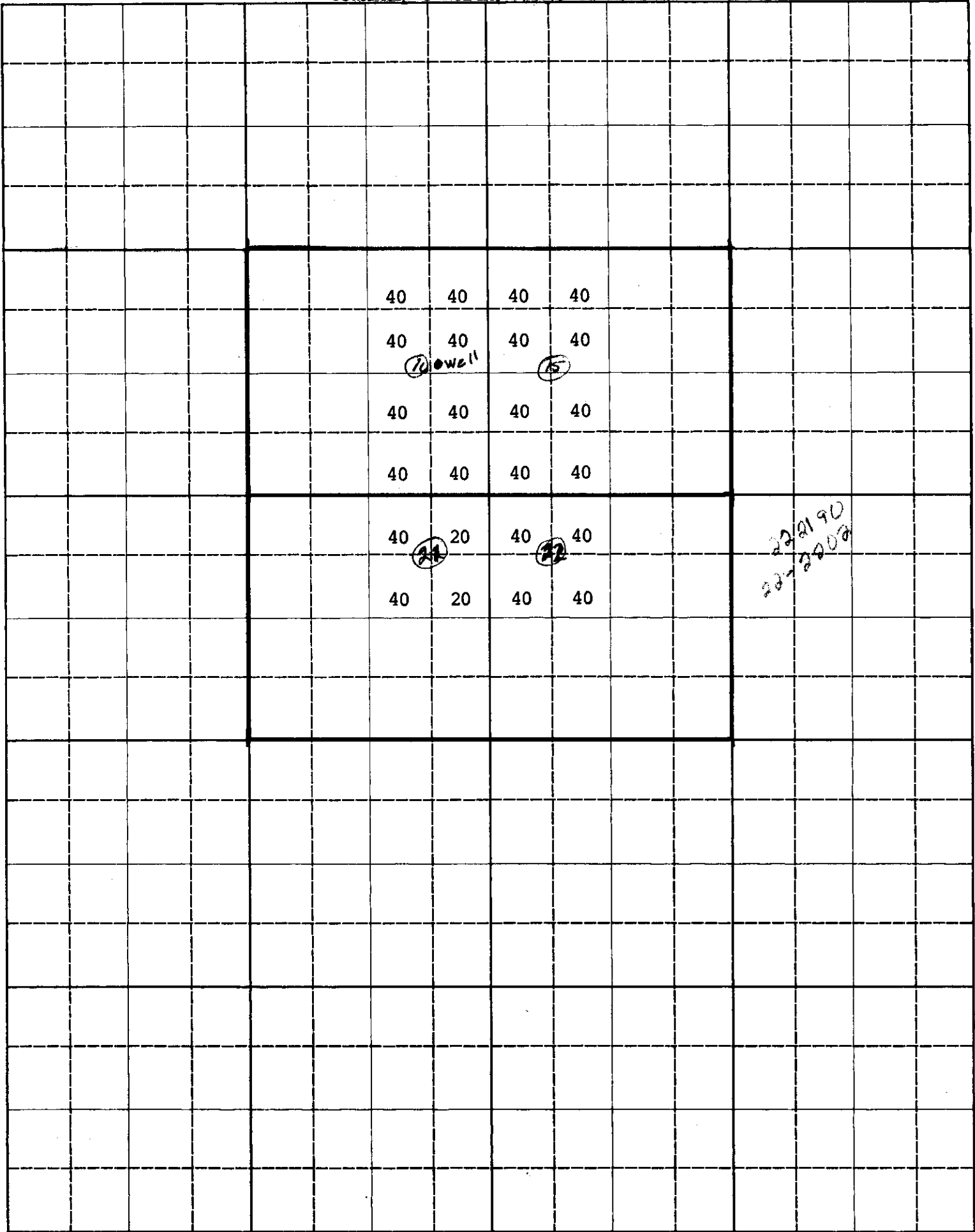
Mr. Webster took possession of the property and in 1967 completed the well, and sprinkler system. The water has been put to beneficial use every year since then.

Unfortunately, Mr. Webster was accidentally killed October 10, 1970, sixteen days prior to the time set for submitting final proof, which was October 26, 1970. Due to the resulting shock and confusion from his tragic death, the matter of submitting proof was completely overlooked. His surviving wife and children did not realize the importance of any subsequent notices that may have been sent to Mr. Webster and were unaware of any prior notices. It took them two or three years to pull his affairs together and go on.

It would be just and equitable in view of the mitigating and extenuating circumstances if the Dept. of Water Resources would now accept proof and establish the ground water priority date of October 26, 1965 for the property in Sections 15 and 16. This application is made subject to this request and the possibility that the Department would grant the October 26, 1965, priority date. The above property in Sections 15 and 16 was decreed to Beverly Webster, surviving wife of Adelbert W. Webster. She thereafter transferred it to Websters' Deep Well Farm, Inc., a closely held family corporation.

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

Township 5 North, Range 40 E.B.M.



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.

WEBSTERS' DEEP WELL RANCH, INC.

(Seal)

By B. H. Hobbs V.P.
Vice-President (Applicant)

Proposed Priority 5/9/80
Received by RD Date 5/9/80 Time 2:00
Preliminary check by pc Fee \$ 155.00
Receipted by JD Date 5/9/80 # 13981
Publication prepared by kw Date 5/16/80
Published in Standard Journal
Publication dates 5/22 & 5/29/80
Publication approved kw Date 6/10/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC Jim

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. 22-7325, 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 August 1, 19 81.
- 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: (1) 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 1st day of July, 19 80.

A. Glen Saylor
Chief, Operations Bureau

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

JUN 6 1980

Department of Water Resources
Eastern District Office

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 Rights**

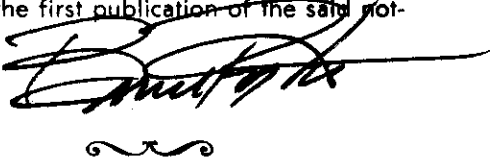
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

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

ing been made on May 22, 1980
and the last publication having been made

on May 29, 1980

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 notice.



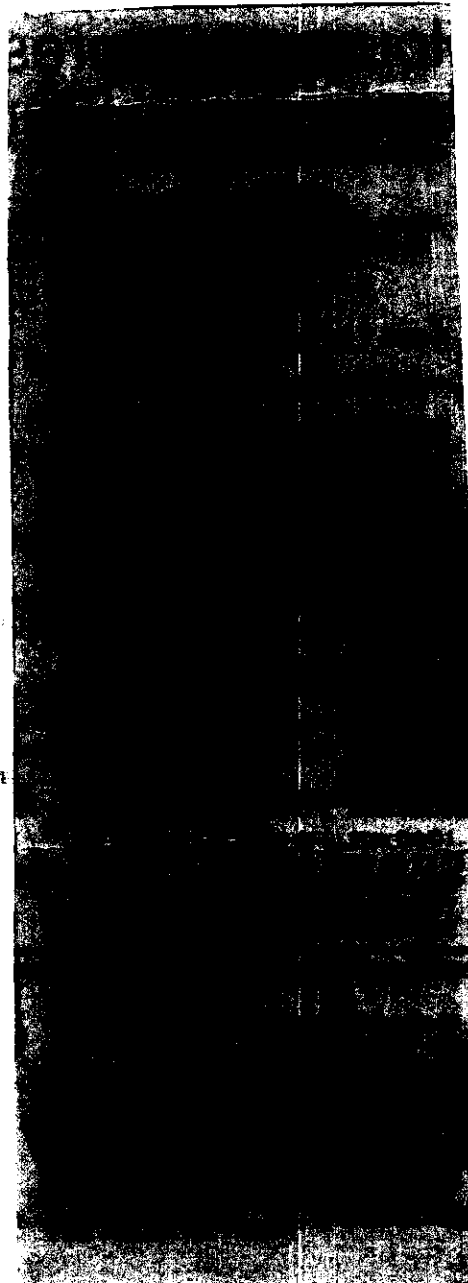
Subscribed to and sworn to before me

this May 30, 1980



Notary Public.

My commission expires Life



OK Lj
06/10/80

OK Lj
06/10/80

RECEIVED



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.

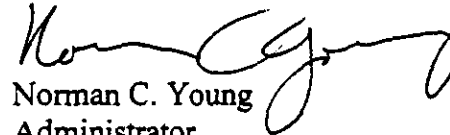
C. Miscellaneous

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

October 24, 1989

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

RE: PERMIT NO. 22-07325

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

OCT 26 1989

July 10, 1989

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

RE: PERMIT NO. 22-07325

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
OCT 26 1989

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
2207325	05N	40E	16	SE NE		GROUNDWATER	WEBSTER DEEP W

MicroFILMED

OCT 26 1989

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

22-7325

Permit No. _____

RECEIVED

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~~

18 Mar 1986 Verified P/O | P/L after Land Swap. NO effect on this permit

EXAMINATION

Date 11 July 1983 Accompanied by Kunk Webster Total Q measured _____

Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source

Methods of measurement Annular # 191166 (13.25') Meets permit requirements?

Eagle Eye Meter # 091473

Measurement calculations: $29'' \omega/K = 1.025 \quad id = 13.5''$

$$Q = [3.85 (\text{in})^2 \sqrt{\text{inches}}] K = [3.85 (13.5)^2 \sqrt{29}] 1.025 = 3873_{\text{gpm}} = 8.63 \text{ cfs}$$

$$Q = 808 \text{ ac} \times 0.02 \text{ cfs/ac} = 16.16 \text{ cfs}$$

Q LIMITED BY CAPACITY = 8.63 cfs

$$V = 808 \times 3.5 \text{ g} = 2828$$

$$V = 8.63 \text{ m/s} \times 1.9835 \times 214 = 3663.2$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
Well	600	U.S. Electric	J1403901	Johnston	N/A	13.25" annubar	Good	
Booster	200	Westinghouse	676A50G06	Johnston	N/A			
			676A50G06					

System Description well pump mainline to 6 center pivots and lateral 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)

8,63cf3

Y (afa)

2828

FROM

4/1

TO

6 / 1

Total

8.63 cfs

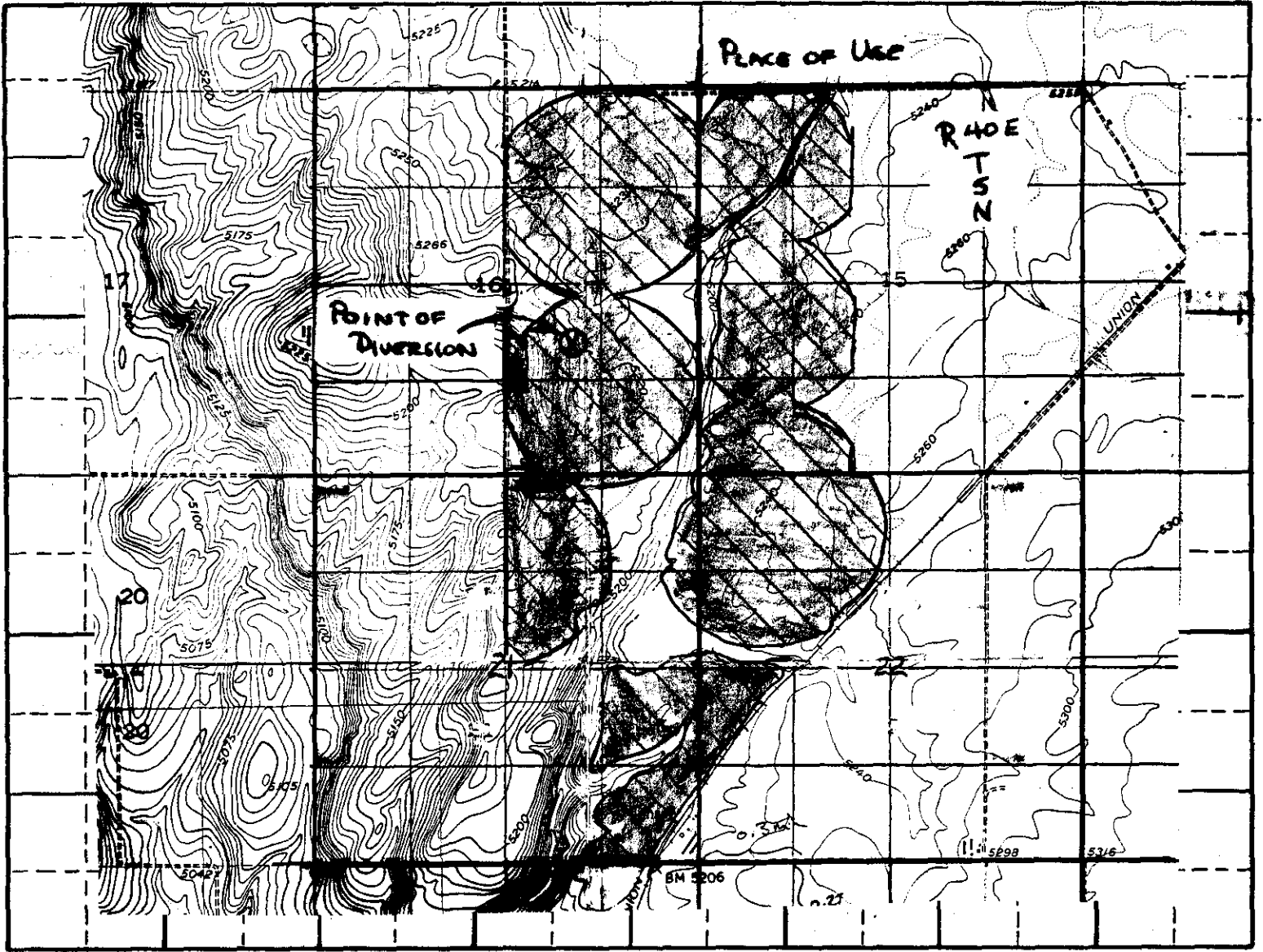
2828

OCT 26 1989

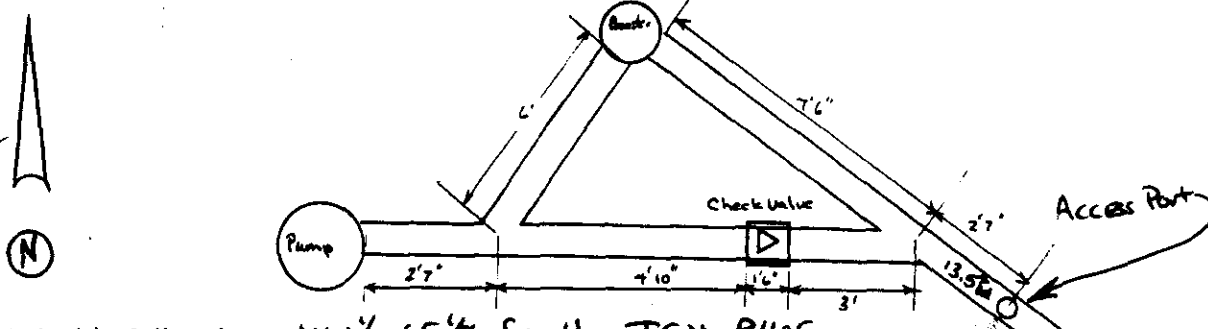
Remarks

18 Mar 1986 Learned of land swap that could affect this permit did re-exam of R/D; P/ls found no effect on this permit

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: NW 1/4 SE 1/4 Sec 16 T5N R40E

Place(s) of Use

[illegible]

MILWAUKEE

Total	808
-------	-----

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 _____

OCT 26 1989

Date 11 Jul 1983 / 18 March 1986

Date 3-26-86

Date 4/20/89

EASIER

LOH
ADM

METER NO. 091473

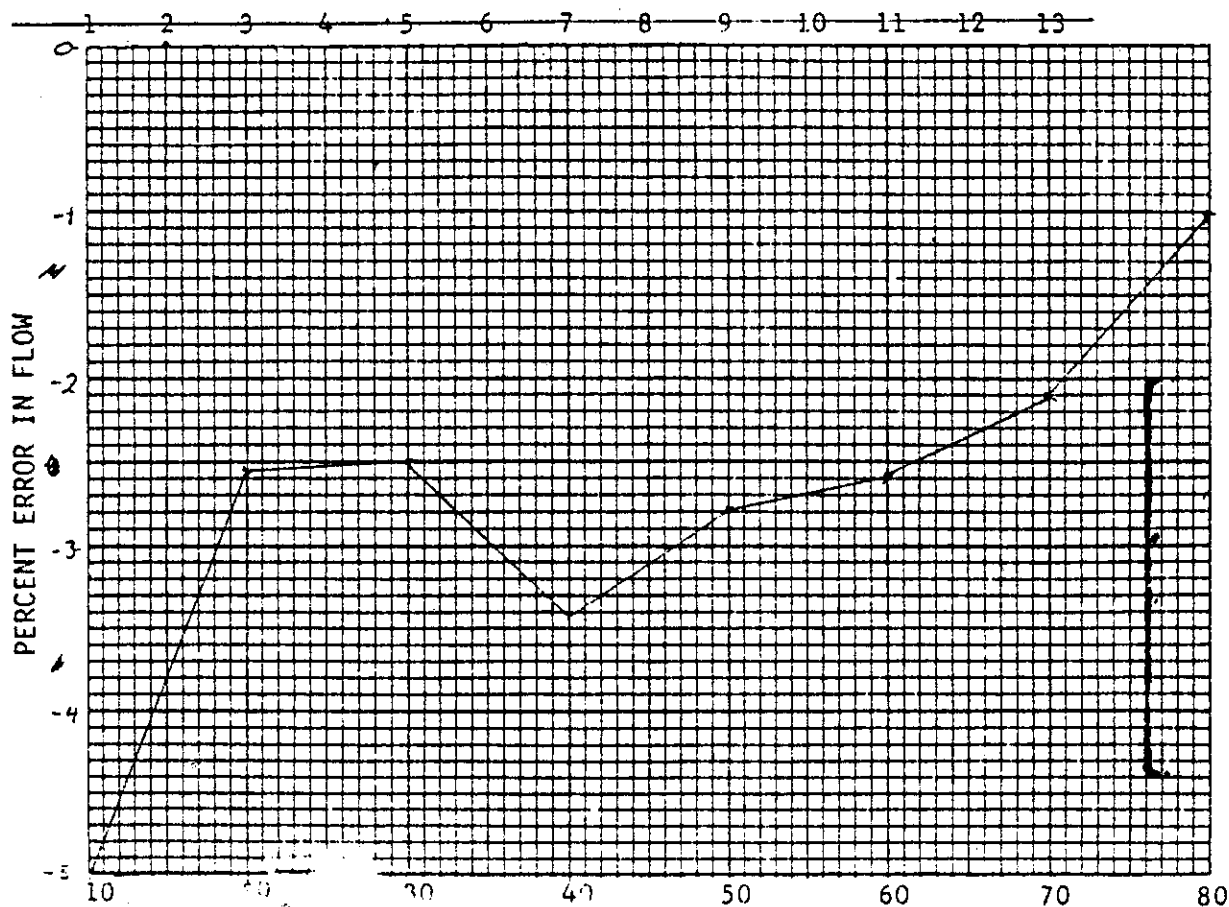
RANGE 10-80

DATE 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

EXAM NUMBER

22-7325



OCT 26 1989

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WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 23, 1981

RE: Permit No. 22-7325

Webster Deep Well Farm Inc.
519 E. 350 S.
Rexburg, Idaho 83440

Gentlemen:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

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OCT 26 1989

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. **22-7325**.

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

Post Office Address: 519E. 350 So Rexburg

Rexburg Id 83440 Tel. No. 356-3845

Source of Water: groundwater

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

6/18/81
Date

Robert Webster V.P.
Signature of Permit Holder

MICROFILMED
OCT 26 1989

RECEIVED

JUN 19 1981

MAILED

OCT 26 1989

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUN 18 1981

Department of Water Resources
Eastern District Office

S T A T E O F I D A H O
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

138169

MAY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7325 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

OCT 26 1989

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

JULY 10, 1980

RE: PERMIT NO. 22-7325

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

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

22 7325

INITIAL REVIEW BY: jc

APPLICATION NUMBER: 22-7325

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.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☒ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☒ Yes ☐ No Platted by: jc Map No. Basin 2A, 5N 40E
☒ Yes ☐ No Other rights on same place of use. 2A-2190 22-2202
☒ Yes ☐ No* In form for advertising. Less than 1 mile per section
☐ Yes ☒ No Final date for protests: June 9
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-6-1980
☒ 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? _____
☒ 5-9-1980 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: 6-19-1980

STATE OFFICE REVIEW:

OIC

S.L. w/oic cond.

- ☐ See attached sheet for more information.

By: Jani

Date: 6/24/80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

MAY 16, 1980

The Standard Journal
P. O. Box 10
Rexburg, Idaho 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 9, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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:

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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JUNE 9, 1980.

C. STEPHEN ALLRED

Director

Published 5/22 & 5/29/80.

MICROFILMED

22-2325-

WEBSTER DEEP WELL FARM, INC.

519 E. 350 S., REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 05/09/1980

Amount: 12.80 CFS

Diversion Point: SENE Sec 16 T 05N R 40E, MADISON Co.

Use: IRRIGATION (12.80 CFS) from 04/01 to 11/01

Place of Use: NENE NENE SWNE SENE NESE NWSE SWSE SESE Sec 16 T 05N R 40E NENE
NWNW SWNW SENW NESW NWSW SWSW SESW Sec 15 T 05N R 40E NENE NENE
SWNE SENE Sec 21 T 05N R 40E NENE NWNW SWNW SENW
Sec 22 T 05N R 40E FOR 920 ACRES

Diversion Means: WELL, PUMPS & PIPELINES.

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