

10/13/2004

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

RIGHT NUMBER: 25-2105A

NAME AND ADDRESS: FOSTER CO
PO BOX 308
RIGBY ID 83442-0308

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.440 CFS
960.000 AFY

Use of this right with Right No. 25-2124A is limited to a total combined annual diversion volume of 960 AF.

PRIORITY DATE: 05/29/1950

POINT OF DIVERSION:

T03N R40E S11 SENW Within BONNEVILLE County

T03N R40E S11 SENW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.440 CFS 960.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S11	SESW	32.0	T03N R40E S11	NESW	24.0
T03N R40E S11	SESW	29.0	T03N R40E S11	NESE	39.0
T03N R40E S11	NWSE	39.0	T03N R40E S11	SWSE	39.0
T03N R40E S11	SESE	38.0			

240 ACRES TOTAL

Use of this right with Right No. 25-2124A is limited to the irrigation of a combined total of 240 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

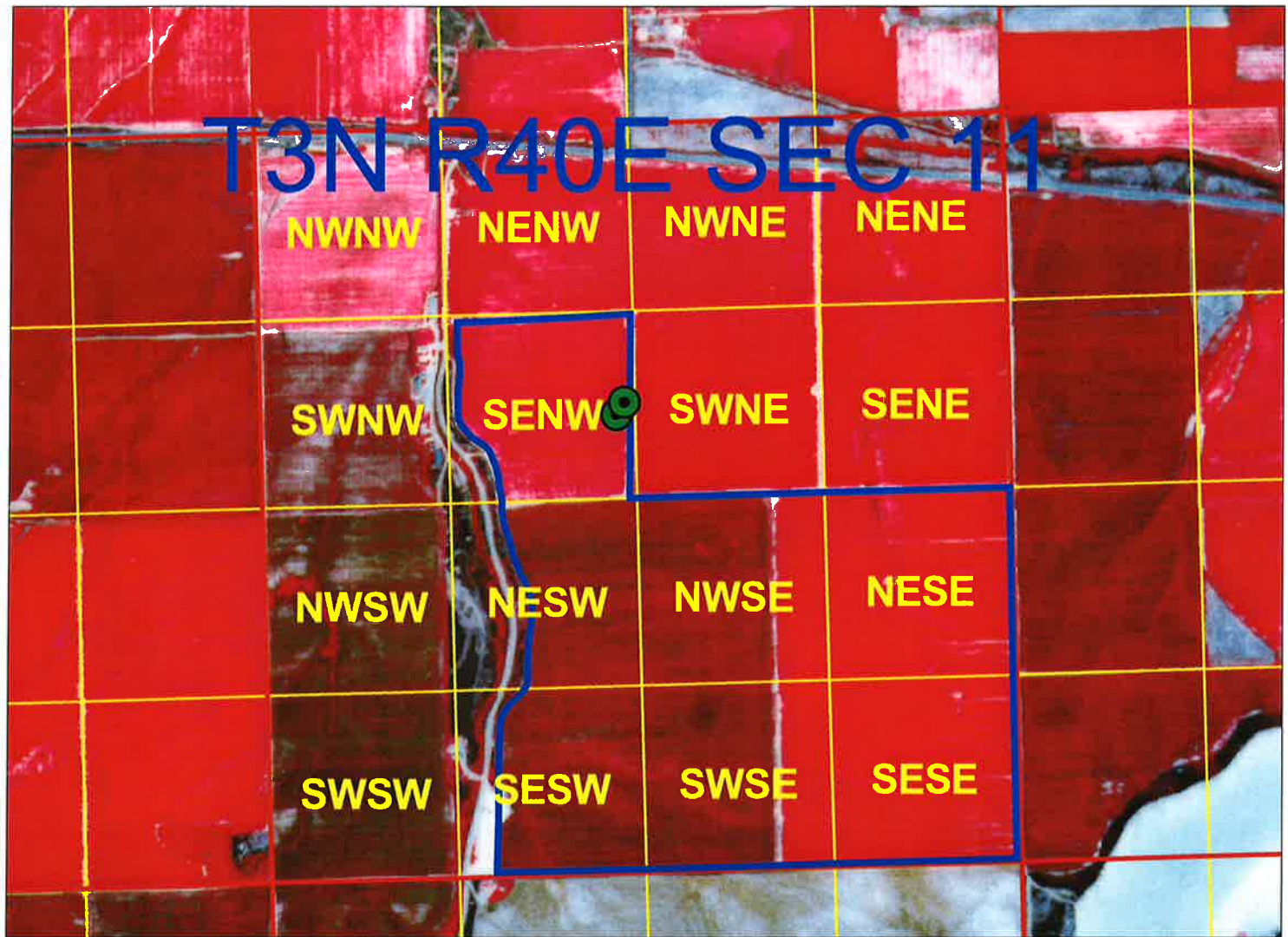
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Right No. 25-2124A is also diverted through points of diversion described above.



Department of Water Resources

Claim Nos.: 25-02105A and
25-02124A

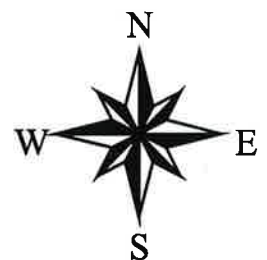


0 1320 2640 3960 5280 Feet



-  Point of diversion
-  Place of Use
-  Sections
-  QQ

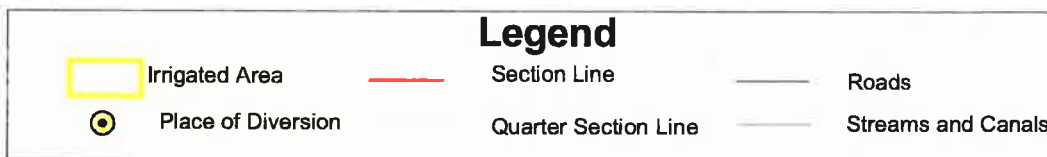
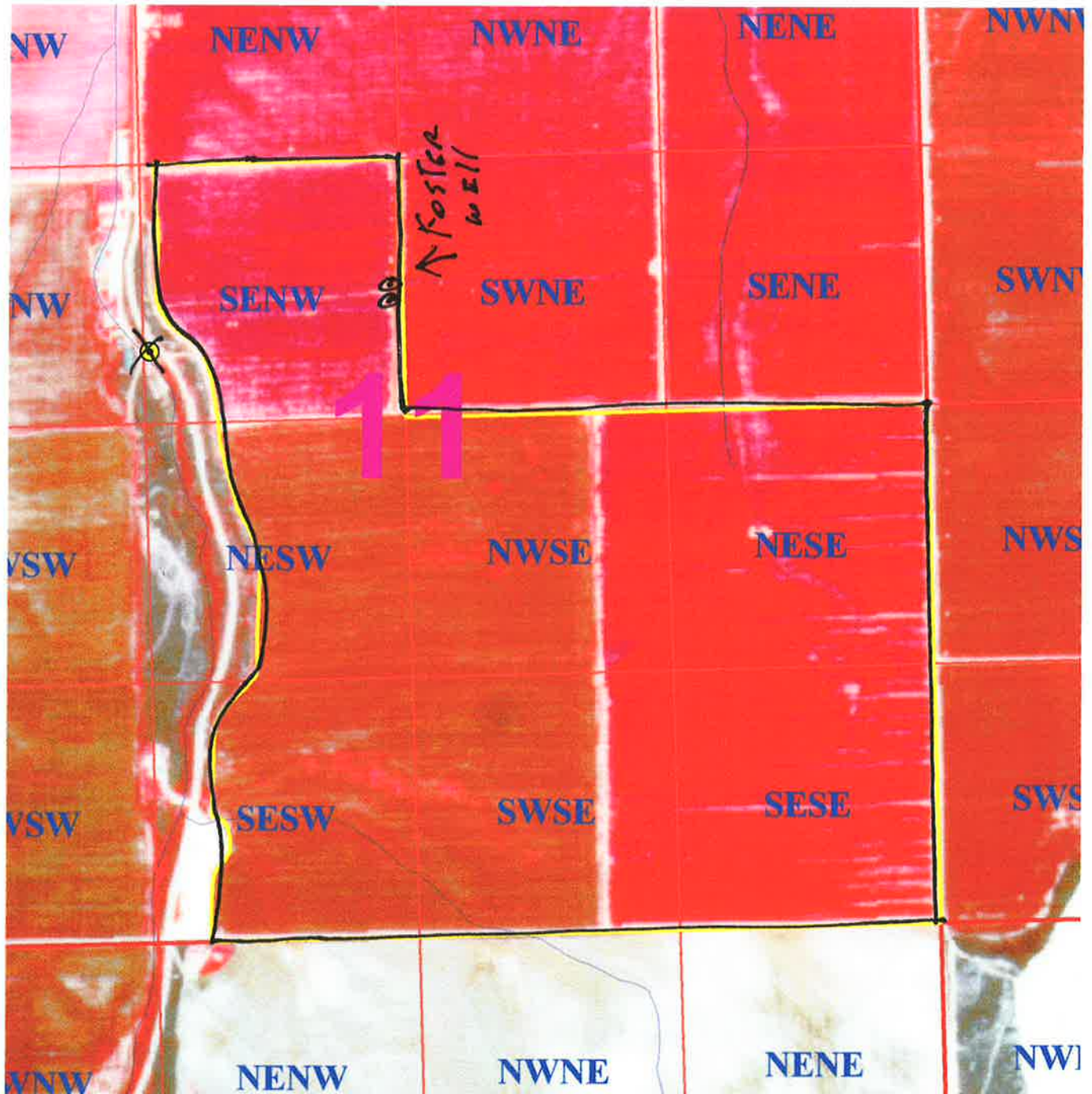
PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: October 2004

Water Right Claim Number 25-02105A
Township , 3N40E

11/29/2000



SPATIAL
DYNAMICS



10/13/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-2105A

FOSTER CO
PO BOX 308

RIGBY ID 83442-0308

Telephone Number: (208)538-5170

RECEIVED

DEC 08 2004

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-17-04

SIGNATURE:

Boyd Foster

Please print your name:

Boyd Foster / Foster Co.

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

RECEIVED

DEC 08 2004

Department of Water Resources
Eastern Region

SCANNED

DEC 22 2004

Water Right No(s). A25-02124A



GPS DATA:

Tag # A0009539 Location: _____

Diversion Data:

Source: Ground Water Trib to: _____

MOTOR

Make: 26.3 motor Model: OFU Hp: 125
SN: _____

PUMP

Make: Sub Model: _____ Disch: 8"
SN: 998123

NOTES:

A2502124A & A2502105A. From this well
photo 25

Field Exam Date: 9-6-04 Agent: Nick Olson

GPS # 2684310
1380963

SCANNED

JUL 27 2000

Log for claim 25-02105A

Spatial Dynamics CAT

11/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	11	SENW	30	35	POD Placement?
03n40e	11	NESW	20	25	
03n40e	11	SESW	30	30	
03n40e	11	NESE	40	40	
03n40e	11	NWSE	40	40	
03n40e	11	SWSE	40	40	
03n40e	11	SESE	40	40	

Totals:

240

250

A 250 2105 A + A 250 2124 A 2 Wells

GPS 2684310 Tag# A0009539
1380963

U.S motor 125HP SN# 998123

mobile OFU 8" DISC

photo 25

Transfer No. 2729

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPROVED**

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Clyde Cook Phone 538-7215Post Office address P.O. Box 214 Ririe, ID 83443

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____ (Name of court)

b. License No. 25-2105 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Warranty Deed3. Source of water Groundwater tributary to _____4. Date of priority May 29, 1950

5. Water is used for the following purposes:

Not Specified

amount 2.8cfs for Irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.8 cubic feet per second &/or

b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11Township 3N Range 40E, B.M., in Bonneville County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	40E	11									30	20			30	40	40	40	240
		12											35						35

Total number of acres to be irrigated 2759. Describe any other water rights used for the same purpose as described above 25-2124, 25-2125

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

1. Description of Right or Portion Thereof Owned By Applicant (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.36 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 3N
Range 40E, B.M., Bonneville County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	40E	12											35						35

Total number of acres to be irrigated 35

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted T299/25-2124-0.24 } 0.60 c.f.s. &/or _____ acre feet
25-2105-0.36

b. Description of diverting works Well, pump, booster, mainlines with hand-
lines

c. Describe the reasons for the proposed changes Change point of diversion and
place of use.

2. Change in point of diversion

Point of diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12 Township 3N

Range 40E, B.M., Bonneville County

Additional points SWNW Sec. 12, T. 3N, R. 40E

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer reflecting those lands that have historically been irrigated.

Transfer No. _____

Water Right No. T299/25-2124

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Clyde Cook Phone 538-7215
Post Office address P.O. Box 214 Ririe, Idaho 83443

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
b. T299/25-2124 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant
purchased part of property to which the right is appurtenant.

3. Source of water Groundwater tributary to _____

4. Date of priority Sept. 6, 1956

5. Water is used for the following purposes:

amount 1.86cfs for Irrigation purposes from Not specified
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.86 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 3N Range 40E, B.M., in Bonneville County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	40E	11								30	20			30	40	40	40	40	240
		12											35						35

Total number of acres to be irrigated 275

9. Describe any other water rights used for the same purpose as described above 25-2125

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

B DESCRIPTION OF LOCATION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.237 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11 Township 3N
Range 40E B.M. Bonneville County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	40E	12											35						35

Total number of acres to be irrigated _____

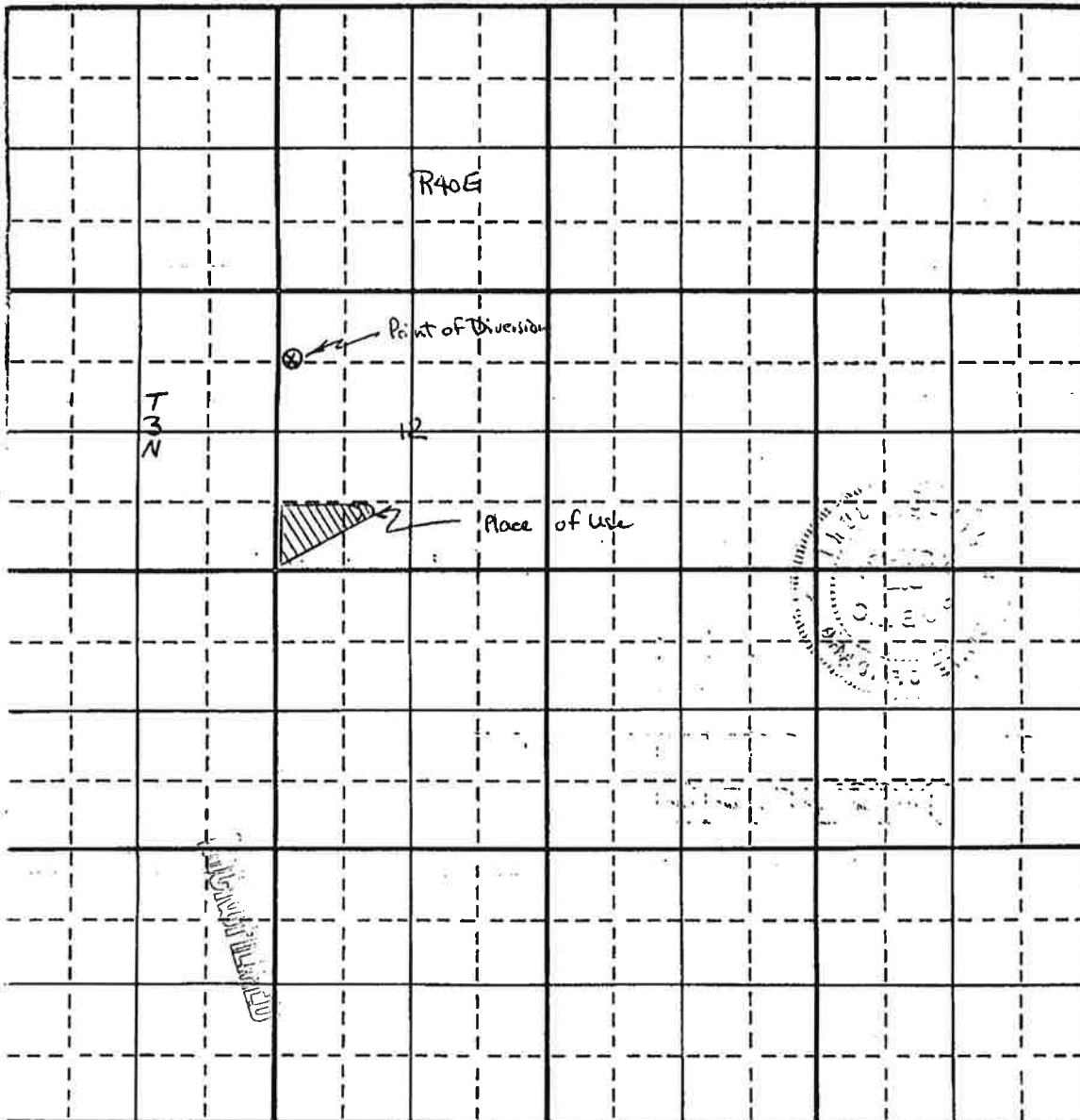
NOTED
JAN 10 1960

c. Describe the land and place of use to which the right will be transferred:

FWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	40E	12											27	8					35

Total number of acres to be irrigated 35

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in Ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this 26th day of October, 1982

Chyd A Look
(Signature of Applicant)

Joyce Smith
(Notary Public)

My commission expires June 16, 1986

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 25-2105 and 25-2124 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 28th day of April, 1983

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 10-29-82 Protest filed by _____
Prelim. check by HWT Fee 50⁰⁰ 22414 (submitted w/ original app)
Received by CW Date 7-29-82
Published in Post Register Copies of protest forwarded by _____
Pub. dates 11/11 & 11/18/82 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. by EMC Jim Dor

State of Idaho
License and Certificate of Water Right

Water License No. 21517

Amount 2.8 second feet

Water District No. _____

Priority May 29, 1950 ✓

THIS IS TO CERTIFY that BERT BYINGTON
of Star Route, Ririe, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 27, 19 50; that Permit No. 21517
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.0 second feet, was issued thereunder on June 16th, 19 53, showing that said works
were completed on the 8th day of June, 19 53; and that on the 8th
day of June, 19 55,

BERT BYINGTON

of Ririe, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~subterranean flow~~ (subterranean flow), for the purpose of irrigation ✓
under Use Permit No. 21517 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5814, on the 24th day of September, 19 56;
The right hereby confirmed dates from May 29, 19 50;

The Point of Diversion is located _____

In the SE ¼ NW ¼, Sec. 11, Tp. 3 N., R. 40 E., B. M. Bonneville County ✓

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	40 E.	11	SE 1/4 NW 1/4	40	30
			NE 1/4 SW 1/4	40	20
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	--	40
			SE 1/4 SE 1/4	--	40
		12	SE 1/4 SW 1/4	--	30
			SW 1/4 SW 1/4	40	35
			SE 1/4 SW 1/4	40	--
		Total Number of Acres Actually Irrigated			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of September, 19 56.

MARK B. KULP

State Reclamation Engineer.

(SEAL)

1 3/4 min sprinkler use 2 nozzles 3/16" "No seen running 53°F 172 min"

(orig) 7/4 x 10" main } bl. in line
 1/4 x 8" " "
 1/2 x 6" " "

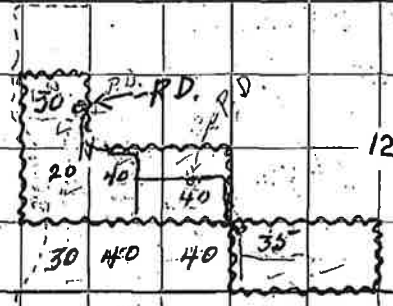
6 6/8
 20 6/8
 @ 6.27 gpm

137" would be satisfied

irrigate once a week

R-40E

T.
3
N.



3/8 + 3/8 + 1/16 + 3/8
 6/16 + 10/16 + 2/16 + 6/16 = 25/16
 1 9/16

Subdivisions = five
 Area = 165 acres. 2750
 Q = 140"

Q = 93' on East

wing 200 x 605 3200
 2100 two pumps

wants to amend to include 110 add
 then will file on other well

255
 200 891
 2076

cast well 34 ft

N.S. motor 100 hp
440 V. 1800 rpm 12/10

1037137

Layne B. Felt.

22220

418' x 16" x 230' 8" bed.

160' ? 997 = 1767

Cutter hammer controls
6" panel (steel) 4' 8" W

8" old SS. with 8"
closed main

85' at pump.

Concrete base 10' x 10'

100' x 110' x 70' x 550

Form 23

$$\begin{array}{r} 195 + 160 \\ \hline 355 \\ 195 \\ \hline 550 \\ = 960 \end{array}$$

$$\begin{array}{r} 218 \\ 96 \\ \hline 122 \end{array}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER

PERMIT NO. 21517

REPORT ON PROOF OF Beneficial Use

BERT BYINGTON, Star Route, Ririe, Idaho

2.8 cfs
max

app.	4.5 cfs
cfw	3.0 cfs
sub.	5
acres	165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21517This proof is for Beneficial use In Water District No. _____1. Name of applicant Bert Byington, Star Route, Ririe, Idaho2. Source of water supply: Subterranean from 2 wells
midway along East line of SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3. Location of point of diversion: Is in the center NE $\frac{1}{4}$ SE $\frac{1}{4}$, and / of Section 11T. 3 N. R. 40 E. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: Well is 295' deep
by 16" diameter cased 245', H=150'. Draw down is 30', last year. 125 hp U. S.
Motor serial No. 998123. Layne Bowler Turbine Pump serial No. 16223. 8" discharge to
the East into a closed system to fields by pipe and sprinkler. This system, at present,
uses only a single nozzle and a single head size 3/16 of an inch.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number
of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other
than irrigation):

N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11;S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12;Twp. 3 North, Range 40 East, R. M.See the Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: This system is being used on a potatoe patch during night times at present
and a satisfactory measurement of the delivery was impossible at the time of inspection.
All crops indicated ample water for this season.

Filed in North 6-26-28This examination was made on the 31 day of Aug., 19 35

Recheck
Aug 21-36

(Signed) E. M. Humphrey Examiner21517

$$\frac{330 \times 2}{550} = h.p.$$

$$2 = \frac{550 \times 125}{144}$$

$$330$$

Aug 25
7-1/8 in. line sprinkler
dd to 187'
151'6" = h.

938 gpm + 10%
938

use 100 hp. motor
Pump against 338' head.

Wants water on par
with Freeman and others
in neighborhood.

45' #

$$\frac{124}{168} \text{ heads} = 639$$

$$\frac{45}{45} = 72$$

$$\frac{45}{45} = 65$$

$$\frac{45}{45} = 52$$

$$\frac{45}{45} = 35$$

$$\frac{45}{45} = 25$$

$$\frac{45}{45} = 15$$

$$\frac{45}{45} = 5$$

$$\frac{45}{45} = 0$$

$$\frac{125 \times 110 \times 70 \times 550}{300} = \frac{Q}{624}$$

$$140''$$

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

$$\frac{100 @ 9.25' \quad 925 \text{ gal.}}{56 @ 6.80 \quad 380 \text{ "}}{136 @ 4.80 \quad 654}{1959 \text{ gpm}}{218''}{140''}{78''}$$

Bert Byington
Star Route, Ririe, Idaho.
Permit No. 21517

Examination for Beneficial Use

County Bonneville

11-3N.-40E.

Q₂ 4.5 c.f.s.

S₂ Wells.

P.D. = center of NE, SE, and midways
along the E. line of SE. NW. Sec. 1
T. 3N. - R. 40E.

Use = Irrigation

asked for 3 c.f.s.

T = 153°F.

Recheck 1

Priority = May 27, 1950
Due = June 6, 1955

land add. filing papers
around land area. Include all

C/W = 6-16-53

Well 295' x 16" cnd 245"
h = 150' in pipe left 5
dd = 20' last year.

8 stage 12" 100' pressure
8" x 200' col.

U.S. motor 125 hp.
440V. 157A. 1800

#998123

16223 Sayre Bowler

Cretter Hanner
Revises & Controls
3' to 5' from panel

Cone-platform 57" x 610"
No protect

Wind. X 80 x 1675
or 160

G.E. meter # 30254109

8" outlet into closed system
to East.

allow 140" on last
" 95" on last

$$\frac{140}{93}$$

AJ5809NP
No. A25-02105A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 58

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FOSTER COMPANY AN IDAHO PARTNERSHIP PO BOX 308 RIGBY ID 83442 (208) 745-7745	05/29/1950	IRRIGATION	04-01 11-01	2.440 CFS	
TOTAL DIVERSION:					2.440 CFS	
CONSUMPTIVE USE:						600.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S11 SENW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM					
03N	40E	11	:		:			30	:				20	:				30	:	40	40	40	40	:	240.0
																							TOTAL ACRES	240.0	

POU County: BONNEVILLE

Non-Irrigation Uses: NONE.

Other Rights: A25-02124A.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-02124A

Other Water Rights Listing Overlapping Place(s) of Use:
A25-02124A A25-02125A

Remarks: GEN TRANS. 2729.
P/D - 2 WELLS IN THE DESCRIBED P/D.
CHANGED OWNERSHIP 3/24/97/JT/AR

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 06/09/88 MCC 06/13/88 THOMPSON 06/23/88 THOMPSON 03/29/95 POST-STD
03/24/97 JTHOMPSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MARCH 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FOSTER COMPANY
AN IDAHO PARTNERSHIP
PO BOX 308
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR A25-02124A, A25-02105A

Dear Mr. Foster:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 3/12/97

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 40E BM
Section 11, 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A25-02105A and A25-02124A *NO-L*
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Orlando Smith and Aletha Smith
- ☐ New Owner/Claimant (Purchaser): Foster Co., an Idaho partnership
- ☐ New Mailing Address: P. O. Box 308
Rigby, Idaho 83442
- ☐ New Telephone Number: (208) 745- 7745
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Foster Company General Partner Date 3/13/97
David Foster General Partner Date 3/13/97
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

DE-109
AR 3-24-97

3-19-97
Reed

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 11: SE1/4;
SE1/4 SW1/4 less the West 120 feet thereof;
SE1/4 NW1/4;
NE1/4 SW1/4.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Southwest Corner of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 11, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence East 495 feet to the West boundary of the County road right of way; thence North 990 feet following the boundary of the County road; thence West approximately 480 feet; thence South to the point of beginning.
- b. That portion of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) and the East Half of the Southwest Quarter (E1/2 SW1/4) of Section 11, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, lying West of the following described East right of way line and East of Birch Creek:

Beginning at Station 934+48 of State Highway F.A. Project No. F 6501 (7) and having a bearing of S83°27'08"E thence running S18°50'34"W 366.6 feet; thence S0°01'07"E 1550.6 feet; thence S24°27'03"E 682.7 feet; thence S11°35'59"E 568.3 feet; thence S5°46'24"E 413.4 feet; thence S1°52'01"W 373.7 feet; thence S14°47'11"W 937.1 feet; thence S6°28'15"W 454.6 feet.

WARRANTY DEED

938402

COOK EASTSIDE FARMS, LIMITED PARTNERSHIP, an Idaho Limited Partnership, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
FOSTER COMPANY, a partnership, as GRANTEE,
whose address is, and Grantee's successors and assigns, all of the following described real property, to-wit:

P. O. Box 308 Rigby, Idaho 83442

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 11: SE1/4;
SE1/4 SW1/4 less the West 120 feet thereof;
SE1/4 NW1/4;
NE1/4 SW1/4.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- Beginning at the Southwest Corner of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 11, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence East 495 feet to the West boundary of the County road right of way; thence North 990 feet following the boundary of the County road; thence West approximately 480 feet; thence South to the point of beginning.
- That portion of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) and the East Half of the Southwest Quarter (E1/2 SW1/4) of Section 11, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, lying West of the following described East right of way line and East of Birch Creek:
Beginning at Station 934+48 of State Highway F.A. Project No. F 6501 (7) and having a bearing of S83°27'08"E thence running S18°50'34"W 366.6 feet; thence S0°01'07"E 1550.6 feet; thence S24°27'03"E 682.7 feet; thence S11°35'59"E 568.3 feet; thence S5°46'24"E 413.4 feet; thence S1°52'01"W 373.7 feet; thence S14°47'11"W 937.1 feet; thence S6°28'15"W 454.6 feet.

SUBJECT TO the 1997 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.
Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.
In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: March 12, 1997

COOK EASTSIDE FARMS, Limited Partnership

By: Allan M. Cook
Allan M. Cook, General Partner

STATE OF IDAHO
County of Bonneville

INSTRUMENT NO.	938402
DATE	3-13-97
INST. CODE	208
FICHE NO.	1211-02
FEE	300
STATE OF IDAHO	SS
COUNTY OF BONNEVILLE	SS
I hereby certify that the within instrument was recorded.	
Ronald Longmire,	
County Recorder	
By: <u>[Signature]</u> Deputy	
Request of	

On this 12th day of March, 1997, before the undersigned, a Notary Public in and for said State, personally appeared ALLAN M. COOK, known or identified to me to be the General Partner in the partnership of Cook Eastside Farms, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year first above written.

[Signature]
Notary Public for Idaho
Commission expires: 1-28-2003

NOTARY PUBLIC
LENORE J. KATFI
STATE OF IDAHO
Residing at Idaho Falls, Idaho
My Commission Expires Jan 28 2003

Bonneville Land & Title Co.

497 N. Capital Ave. * P.O. Box 31690 * Idaho Falls, ID 83403-1690 * 208-343-2222



Bonneville Land & Title Co.

497 N. Capital Ave. • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600 • Fax (208) 524-6072

Department of Water Resources
Eastern Region

MAR 19 1997

RECEIVED

March 17, 1997

Department of Water Resources
900 N Skyline Drive
Idaho Falls ID 83402

C/O

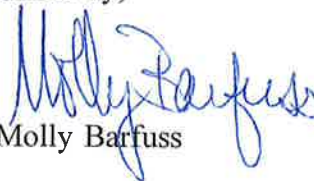
RE: Change of Water Right Ownership
Our file #T-12418

Dear Sirs:

Attached please find the form to change water right ownership with the recorded Warranty Deed attached. If you have any questions, please feel free to call our office.

Thank you.

Sincerely,


Molly Barfuss

Lane R. Archibald
President & General Counsel

SCANNED

JUL 27 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: A25-02105A
Date Received: 6/ 9/1988
Receipt No: E000367
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FOSTER COMPANY
Address: AN IDAHO PARTNERSHIP
PO BOX 308
RIGBY ID

208-745-7745

83442

2. Date of Priority: MAY 29, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	11	SE	SE	NW		BONNEVILLE

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	11	SE	NW		IRR	30.0
			NE	SW		IRR	20.0
			SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	40E	11	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	240.0
							Total Acres	240.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A25-02124A.

14. Remarks:
TRANS. 2729.
P/D - 2 WELLS IN THE DESCRIBED P/D.
CHANGED OWNERSHIP 3/24/97/JT/AR

15. Basis of Claim: LICENSE

Water Right Number: 21517

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: A25-02105A
Date Received: 6/09/1988
Receipt No: E000367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORLANDO SMITH
Address: 16022 EAST RIRIE HWY
RIRIE, ID

208-538-7774

83443

AND/OR

Name: ALETHA SMITH
Address: 16022 EAST RIRIE HWY
RIRIE, ID

208-538-7774

83443

2. Date of Priority: MAY 29, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	11	SE	NW			BONNEVILLE

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A25-02105A

Page 1

Date: 09/27/89

MICROFILMED
NOV 10 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	11	SE	NW		IRR	30.0
			NE	SW		IRR	20.0
			SE	SW		IRR	30.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	240.0
						Total Acres	240.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A25-02124A.

14. Remarks:
TRANS. 2729.
P/D - 2 WELLS IN THE DESCRIBED P/D.

15. Basis of Claim: LICENSE
Water Right Number: 21517

MICROFILMED
NOV 10 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: A25-02105A
Date Received: 6/09/1988
Receipt No: E000367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORLANDO SMITH 208-538-7774
Address: 16022 EAST RIRIE HWY
RIRIE, ID 83443

AND/OR

Name: ALETHA SMITH 208-538-7774
Address: 16022 EAST RIRIE HWY
RIRIE, ID 83443

2. Date of Priority: MAY 29, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	11	SE	NW			JEFFERSON Bonner l/c

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	40E	11	SE	NW	IRR	30.0
			NE	SW	IRR	20.0
			SE	SW	IRR	30.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0

Section Acres 240.0

Total Acres 240.0

11. Place of use in counties: ^{Bonhomme} ~~BONNEVILLE~~ Jefferson *Q.S.*

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

13. Other Water Rights Used:
A25-02124A.

14. Remarks:
TRANS. 2729.
P/D - 2 WELLS IN THE DESCRIBED P/D.

15. Basis of Claim: LICENSE
Water Right Number: 21517

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Orlando Smith Date: 6-23-88
Arlita Smith Date: 6-23-88

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of June 19 88

Carleen Wray
Notary Public

Residing at Idaho Falls

My Commission Expires 5/29/1991



