

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80236**

This is to certify that: **FOSTER CO**
PO BOX 626
RIRIE, ID 83443

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-12350	WR/DECREED	8/31/1967	1.060 cfs	N/A	80.0	400.0	GROUND WATER
35-2619	WR/DECREED	11/28/1960	6.400 cfs	N/A	320.0	400.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-12350	YES	YES	NO	NO	NO	NO
35-2619	YES	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-12350	35-14433	0.210 cfs	64.0 af	16.0	80.0	35-12350	0.850 cfs	N/A	64.0	320.0
35-2619	35-14432	1.280 cfs	256.0 af	64.0	80.0	35-2619	5.120 cfs	N/A	256.0	320.0
COMBINED TOTALS		1.490 cfs	320.0 af	80.0	80.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 25th day of September, 2015.


for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-2619

Transfer No. 80236

WATER RIGHT NO. 35-2619**As Modified by Transfer No. 80236**

In accordance with the approval of Transfer No. 80236, Water Right No. 35-2619 is now described as follows:

Right Holder: WALKER LAND & CATTLE LLC
1070 RIVERWALK DR STE 200
IDAHO FALLS, ID 83402

Priority Date: 11/28/1960

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
5.120 cfs
5.120 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 19 Twp 03N Rge 36E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	36E	17											40.0	40.0					80.0
03N	36E	18															40.0	40.0	80.0
03N	36E	19	40.0	40.0															80.0
03N	36E	20					40.0	40.0											80.0

Right Acre Limit: 256.0

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2619 and 35-12350 when combined shall not exceed a total annual maximum diversion volume of 1280.0 af at the field headgate, and the irrigation of 320.0 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-2619, 35-12350.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-14432**As Modified by Transfer No. 80236**

In accordance with the approval of Transfer No. 80236, Water Right No. 35-14432 is now described as follows:

Right Holder: FOSTER CO
PO BOX 626
RIRIE, ID 83443

Priority Date: 11/28/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1.280 cfs	256.0 af
			1.280 cfs	256.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENW Sec 18 Twp 03N Rge 36E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	36E	18											40.0	40.0					80.0

Right Acre Limit: 64.0

POU Total Acres: 80.0

CONDITIONS OF APPROVAL

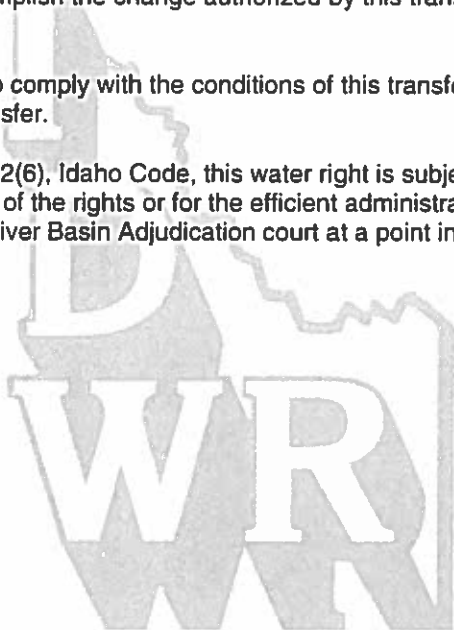
1. This right is limited to the irrigation of 64.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14432 and 35-14433 when combined shall not exceed the irrigation of 80.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 80236, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 80236

WATER RIGHT NO. 35-14432
As Modified by Transfer No. 80236

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 35-12350 **As Modified by Transfer No. 80236**

In accordance with the approval of Transfer No. 80236, Water Right No. 35-12350 is now described as follows:

Right Holder: WALKER LAND & CATTLE LLC
 1070 RIVERWALK DR STE 200
 IDAHO FALLS, ID 83402

Priority Date: 8/31/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 10/31	0.850 cfs 0.850 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 19 Twp 03N Rge 36E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	36E	17											40.0	40.0					80.0
03N	36E	18															40.0	40.0	80.0
03N	36E	19	40.0	40.0															80.0
03N	36E	20					40.0	40.0											80.0

Right Acre Limit: 64.0

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 64.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2619 and 35-12350 when combined shall not exceed a total annual maximum diversion volume of 1280.0 af at the field headgate, and the irrigation of 320.0 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-2619, 35-12350.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-14433
As Modified by Transfer No. 80236

In accordance with the approval of Transfer No. 80236, Water Right No. 35-14433 is now described as follows:

Right Holder: FOSTER CO
 PO BOX 626
 RIRIE, ID 83443

Priority Date: 8/31/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.210 cfs	64.0 af
			0.210 cfs	64.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENW Sec 18 Twp 03N Rge 36E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	36E	18											40.0	40.0					80.0
Right Acre Limit:			16.0																
POU Total Acres:			80.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14432 and 35-14433 when combined shall not exceed the irrigation of 80.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 80236, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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WATER RIGHT NO. 35-14433
As Modified by Transfer No. 80236

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

