

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78985

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>
35-14112	WR/DECREED	9/25/1973	3.310 cfs	662.4 af	165.6	528.0	GROUND WATER
35-14114	WR/DECREED	9/25/1973	3.270 cfs	653.6 af	163.4	528.0	GROUND WATER
35-14116	WR/DECREED	4/8/1975	3.310 cfs	662.4 af	165.6	528.0	GROUND WATER
35-14118	WR/DECREED	5/23/1975	1.660 cfs	330.8 af	82.7	528.0	GROUND WATER
35-14120	WR/DECREED	7/27/1976	0.420 cfs	85.2 af	21.3	528.0	GROUND WATER
35-14122	WR/DECREED	5/23/1975	0.350 cfs	71.2 af	17.8	528.0	GROUND WATER
35-14124	WR/DECREED	10/10/1973	0.260 cfs	82.0 af	20.5	528.0	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>
35-14112	NO	NO	YES	NO	NO	NO
35-14114	NO	NO	YES	NO	NO	NO
35-14116	NO	NO	YES	NO	NO	NO
35-14118	NO	NO	YES	NO	NO	NO
35-14120	NO	NO	YES	NO	NO	NO
35-14122	NO	NO	YES	NO	NO	NO
35-14124	NO	NO	YES	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>
35-14112	35-14112	3.310 cfs	662.4 af	165.6	528.0	N/A	N/A	N/A	N/A	N/A
35-14114	35-14114	3.270 cfs	653.6 af	163.4	528.0	N/A	N/A	N/A	N/A	N/A
35-14116	35-14116	3.310 cfs	662.4 af	165.6	528.0	N/A	N/A	N/A	N/A	N/A
35-14118	35-14118	1.660 cfs	330.8 af	82.7	528.0	N/A	N/A	N/A	N/A	N/A
35-14120	35-14120	0.420 cfs	85.2 af	21.3	528.0	N/A	N/A	N/A	N/A	N/A
35-14122	35-14122	0.350 cfs	71.2 af	17.8	528.0	N/A	N/A	N/A	N/A	N/A
35-14124	35-14124	0.260 cfs	82.0 af	20.5	528.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.120 cfs	1757.0 af	528.0	528.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 78985

IN FILE # 35-14112

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78985

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 24th day of March, 2014.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 35-14112**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14112 is now described as follows:

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

Priority Date: 9/25/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

3.310 cfs

3.310 cfs

Diversion Volume

662.4 af

662.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESEW	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28		31.3	31.3	38.1	31.3	31.3	31.3	31.3	38.1	38.1	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0

Right Acre Limit: 165.6

POU Total Acres: 528.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 165.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14112
As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14114**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14114 is now described as follows:

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

Priority Date: 9/25/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

3.270 cfs

3.270 cfs

Diversion Volume

653.6 af

653.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESEW	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28	31.3	31.3	38.1	31.3	31.3	31.3	31.3	38.1	38.1	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0

Right Acre Limit: 163.4

POU Total Acres: 528.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 163.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14114
As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14116**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14116 is now described as follows:

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

Priority Date: 4/8/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	3.310 cfs	662.4 af
			3.310 cfs	662.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESE	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28	31.3	31.3	38.1	31.3	31.3	31.3	31.3	38.1	31.3	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0
Right Acre Limit:			165.6																
POU Total Acres:			528.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 165.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14116
As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14118**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14118 is now described as follows:

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

Priority Date: 5/23/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.660 cfs	330.8 af
			1.660 cfs	330.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESE	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28		31.3	31.3	38.1	31.3	31.3	31.3	38.1	38.1	31.3	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0

Right Acre Limit: 82.7

POU Total Acres: 528.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 82.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

WATER RIGHT NO. 35-14118

As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

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.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 78985 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.
8. 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.
9. 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 lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-14120

As Modified by Transfer No. 78985

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14120 is now described as follows:

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

Priority Date: 7/27/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.420 cfs	85.2 af
			0.420 cfs	85.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESE	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28	31.3	31.3	38.1	31.3	31.3	31.3	31.3	38.1	38.1	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0
Right Acre Limit:			21.3																
POU Total Acres:			528.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14120
As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14122**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14122 is now described as follows:

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

Priority Date: 5/23/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.350 cfs	71.2 af
			0.350 cfs	71.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESE	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28		31.3	31.3	38.1	31.3	31.3	31.3	31.3	38.1	38.1	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0

Right Acre Limit: 17.8

POU Total Acres: 528.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14122

As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14124**As Modified by Transfer No. 78985**

In accordance with the approval of Transfer No. 78985, Water Right No. 35-14124 is now described as follows:

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

Priority Date: 10/10/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.260 cfs

0.260 cfs

Diversion Volume

82.0 af

82.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENESEW	Sec 16 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 20 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec 21 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec 28 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec 29 Twp 04N Rge 35E	JEFFERSON County
GROUND WATER	NENESE	Sec 31 Twp 04N Rge 35E	JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	28		31.3	31.3	38.1	31.3	31.3	31.3	38.1	31.3	31.3	31.3	31.3	31.3	31.3	38.1	31.3	31.3	528.0

Right Acre Limit: 20.5

POU Total Acres: 528.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14112, 35-14114, 35-14116 and 35-14118 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1552.5 af at the field headgate, and the irrigation of 528 acres.
3. Rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122 and 35-14124 when combined shall not exceed a total diversion rate of 4.12 cfs, a total annual maximum diversion volume of 1757 af at the field headgate, and the irrigation of 528 acres.

Transfer No. 78985

WATER RIGHT NO. 35-14124
As Modified by Transfer No. 78985

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78985 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.