

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 1-07090

\$100
RECEIVED
APR 19 2012
Department of Water Resources
Eastern Region

Date of Priority: April 30, 1987

Maximum Diversion Rate: 6.00 CFS
Maximum Diversion Volume: 1,204.0 AF

Comes now FOSTER LAND & CATTLE
PO BOX 40

RIRIE ID 83443 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. 1-07090, and requests that the permit be changed as follows:

Source: SNAKE RIVER**Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	6.00 CFS	1,204.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L3 (SW1/4NE1/4) Sec. 8, Twp 03N, Rge 41E, B.M.
BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 41E 7												3.0			5.0		8.0
03N 41E 8							2.0	2.0	36.0	33.0	29.0	34.0		11.0	39.0	3.0	189.0
03N 41E 16						7.0	15.0									L 1	22.0
03N 41E 17	31.0	16.0	10.0	39.0	3.0		33.0	16.0	34.0	39.0	5.0	4.0					230.0
03N 41E 18	19.0	40.0	35.0	40.0	40.0			35.0					39.0	39.0			287.0

Total Acres: 736

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 this 5 day of April, 20012

Grand Foster manager
(Signature) *Foster*

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FOR DEPARTMENT USE ONLY

Preliminary check by DC Fee = 100 Received by _____ # E037508 Date 4/20/2012

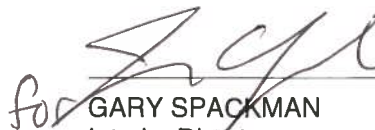
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 1-07090 with the following:

CONDITIONS OF APPROVAL

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. No water may be diverted under this right until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right is limited to the irrigation of 301 acres within the authorized place of use in a single irrigation season.
6. Rights 1-7090 and 1-7091 when combined shall not exceed a total diversion rate of 7.21 cfs, a total annual maximum diversion volume of 2777 af at the field headgate, and the irrigation of 736 acres.
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. 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. 01.

Witness my hand this 11th day of June, 2012.



GARY SPACKMAN
Interim Director