

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77732

This is to certify that: FOSTER LAND & CATTLE
PO BOX 40
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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7192A	WR/Decreed	11/29/1971	5.45 cfs	N/A	576.0	636.0	GROUND WATER
35-9069	WR/Decreed	11/29/1971	0.57 cfs	N/A	60.0	636.0	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>
35-7192A	NO	NO	YES	NO	YES	NO
35-9069	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>
35-7192A	35-7192A	5.45 cfs	2144.8 af	536.2	592.1		N/A	N/A	N/A	N/A
35-9069	35-9069	0.57 cfs	223.6 af	55.9	592.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.02 cfs	2368.4 af	592.1	592.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of February, 20 12


Water Resources Program Manager

SUPPORT DATA

IN FILE # 35-7192A

WATER RIGHT NO. 35-7192A
As Modified by Transfer No. 77732

In accordance with the approval of Transfer No. 77732, Water Right No. 35-7192A is now described as follows.

Right Holder: FOSTER LAND & CATTLE
PO BOX 40
RIRIE ID 83443

Priority Date: November 29, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	5.45 CFS	2,144.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 11 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04N	35E	11	33.7	40.0	40.0	34.5	40.0	35.4	32.7	38.0	39.2	34.3	33.5	40.0	35.2	40.0	40.0	35.6	592.1

Total Acres: 592.1

WATER RIGHT NO. 35-7192A
As Modified by Transfer No. 77732

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 536.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7192A and 35-9069 when combined shall not exceed the irrigation of 592.1 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 77732, 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.
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 approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
9. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right 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.

Dated this 9th day of February, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-9069
As Modified by Transfer No. 77732

In accordance with the approval of Transfer No. 77732, Water Right No. 35-9069 is now described as follows.

Right Holder: FOSTER LAND & CATTLE
PO BOX 40
RIRIE ID 83443

Priority Date: November 29, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.57 CFS	223.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 11 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04N	35E	11	33.7	40.0	40.0	34.5	40.0	35.4	32.7	38.0	39.2	34.3	33.5	40.0	35.2	40.0	40.0	35.6	592.1

Total Acres: 592.1

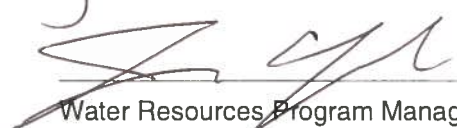
WATER RIGHT NO. 35-9069
As Modified by Transfer No. 77732

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 55.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7192A and 35-9069 when combined shall not exceed the irrigation of 592.1 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 77732, 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.
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 approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
9. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right 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.

Dated this 9th day of February, 20 12



Water Resources Program Manager