

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 25-07494C

RECEIVED
JUL 13 2011
Department of Water Resources
Eastern Region

Date of Priority: April 05, 1989

Maximum Diversion Rate: 22.00 CFS

Maximum Diversion Volume: 9,140.0 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. 25-07494C, and requests that the permit be changed as follows:

Source: GROUND WATER**Tributary:**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	22.00 CFS	9,140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 5	Twp 03N	Rge 40E, B.M.	BONNEVILLE County
GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 16	Twp 03N	Rge 40E, B.M.	BONNEVILLE County
(Rediversion)					
GROUND WATER	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 28	Twp 03N	Rge 40E, B.M.	BONNEVILLE County
GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 5	Twp 03N	Rge 40E, B.M.	BONNEVILLE County
(Injection)					

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 40E 16									9.6	.9	36.0	40.0			4.6		91.1
03N 40E 20	37.0	36.0	37.0	40.0									40.0	31.0	34.0	40.0	295.0
03N 40E 21	15.0	16.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	588.0
03N 40E 22							5.4			30.0	38.0						73.4
03N 40E 27						29.0	18.0			39.0	40.0						126.0
03N 40E 28	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	639.0
03N 40E 29	40.0	31.0	33.0	40.0									40.0	30.0	32.0	40.0	286.0
03N 40E 32	25.0	.7		15.0													40.7
03N 40E 33	40.0	40.0	40.0	22.0	40.0	40.0	31.0	24.0						2.3			279.3
03N 40E 34						33.0	5.6										38.6

Total Acres: 2457.1

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 13 day of July, 2011.

Grand Foster
(Signature)

State of Idaho
Department of Water Resources
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WATER RIGHT NO. 25-07494C

FOR DEPARTMENT USE ONLY
Preliminary check by Blm Fee = \$100 Received by JB # EO36817 Date 7/13/2011

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. 25-07494C with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2285.0 acres within the authorized place of use in a single irrigation season.
2. Rights 25-57A, 25-57B, 25-59, 25-136B, 25-137B, 25-7494C, 25-7567 and 25-7592 when combined shall not exceed a total diversion rate of 31.78 cfs and the irrigation of 2457.1 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Water diverted under this right from the well located in the SWNW, Sec. 5, T03N, R40E, is exchanged by injecting water into the Anderson Canal, and diverting an equal amount from Willow Creek at the point of rediversion described above.
5. 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.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.

Witness my hand this 2nd day of August, 2011.


for **GARY SPACKMAN**
Interim Director