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February 3, 2011

Idaho Department of Water Resources
Attn: Dave Carlson
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Application for Transfer of Water Right filed by the Foster Company.

Dear Dave:

Enclosed please find an application for transfer of water right filed on behalf of the Foster Company. The transfer is relatively straightforward, in that we are moving 132 acres under a pivot consisting of 132 irrigated acres to water rights contained entirely within Section 4 North, Range 35 East, Section 22. The water rights already are appurtenant to Section 22 allow for a permissible place of use, within which only 412 acres can be irrigated. Upon further review these water rights, we believe that the addition of 132 acres would allow four pivots to be irrigated once the 132 acres is moved. The permissible place of use would therefore be 640 acres, within which 544 acres would be irrigated.

If you have any questions or concerns, please let us know. Please be advised that in conjunction with this transfer, we will be submitting a second transfer on behalf of the Foster Company to move water rights to the south approximately two to three miles.

Best Regards,

Robert L. Harris

RECEIVED

FEB 03 2011

Department of Water Resources
Eastern Region