

Jeppeson Farm - Bonneville

DEV

RECEIVED

JUN 26 2009

Department of Water Resources
Eastern Region

Form 42-248/42-1409(6) 10/07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

- Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 35-13845	OK				
WR 35-7629A	OK				
WR 35-2757	OK				
WR 35-7337	OK				

- The following **REQUIRED** information must be submitted with this form:

SUPPORT DATA

- The appropriate **FILING FEE**. See instructions for fee amounts.
 - A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR
- If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

IN FILE # 35-2757

- Name and Address of Former Owner/Claimant(s)

Foster Land & Cattle, PO Box 626, Ririe ID 83443
Foster Agro Inc, PO Box 708, Ririe ID 83443
The Foster Company, PO Box 626, Ririe ID 83443

- New Owner/Claimant(s)

Foster Company

Name Connector (Check one) [] and, [] or, [] and/or

New Mailing Address

P.O. Box 626

City, State and ZIP Code

Ririe, ID 83443

New Telephone Number

(208) 538-5170 Email: vistavalleyag@gmail.com

5. Date you acquired the property

2-26-2009

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

(title if applicable)

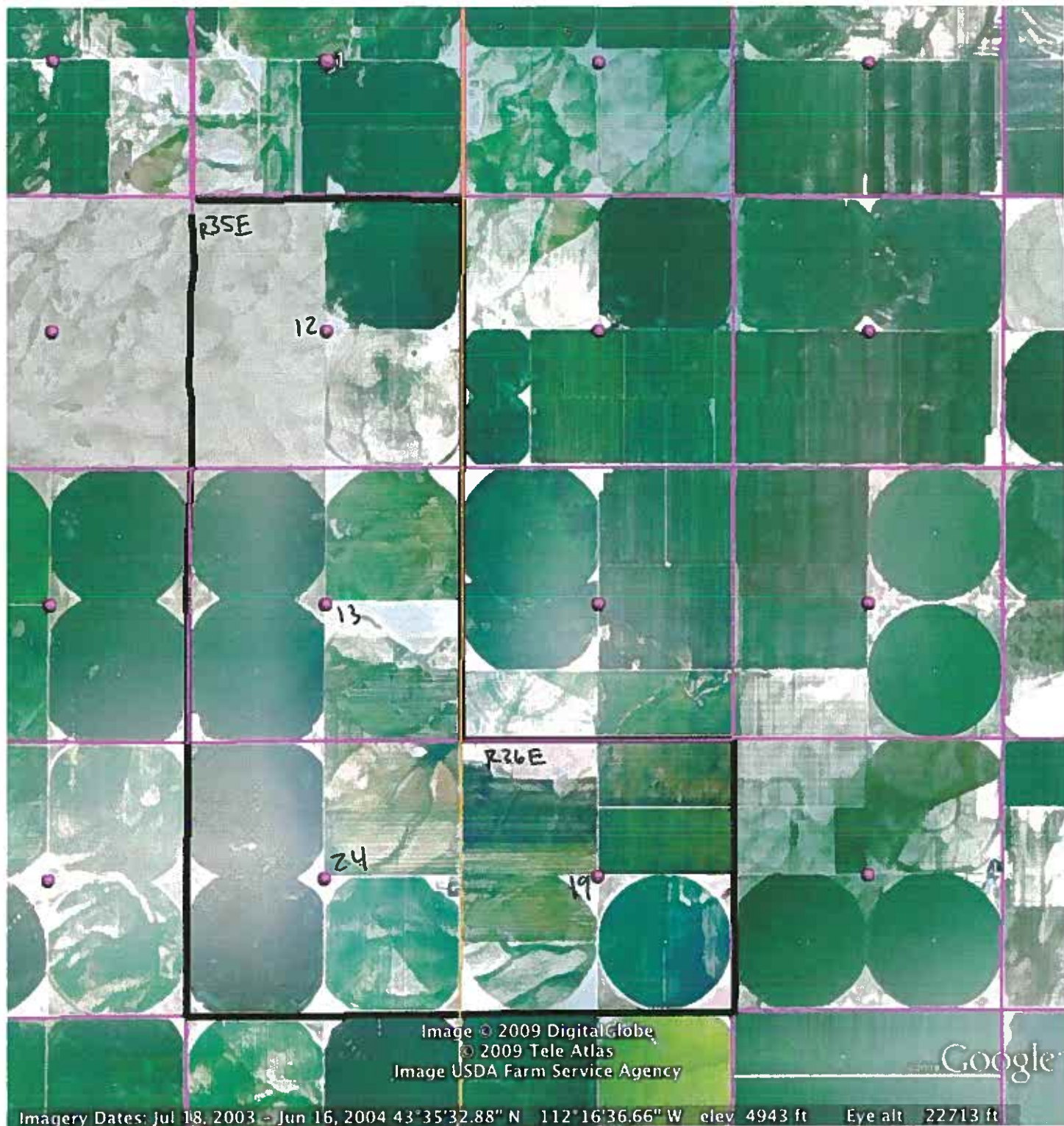
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by BMC
 Received by BMC
 Processed by AJ

 Date 10/26/09
 Date 10/26/09
 Date

 Receipt Amt. \$ 350.00
 Receipt No. EO 35142
 WR Date



~~Jeppesen~~ Jeppesen

35-13845 Foster L & C

35-7629A Foster Agro

35-2757 The Foster Company

Instrument # 1324902

IDAHO FALLS, BONNEVILLE, IDAHO

2-26-2009 04:10:29 No. of Pages: 4

Recorded for : HOLDEN KIDWELL

RONALD LONGMORE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 12.00

WARRANTY DEED

THIS INDENTURE is made this 19 day of February, 2009, Foster Company (a/k/a The Foster Company), an Idaho general partnership, whose general partners are Bradley D. Foster, Sharol Foster, Boyd S. Foster, and Laurie Foster, the "Grantor", and Foster Company, a new Idaho general partnership, whose general partners are Boyd S. Foster and Laurie Foster, the "Grantee", whose mailing address is P. O. Box 626, Ririe, Idaho, 83443.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Bonneville, State of Idaho, to-wit:

See Attached Legal Description

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

COPY

FOSTER COMPANY

By: *Bradley D. Foster*
Bradley D. Foster, General Partner

By: *Sharol Foster*
Sharol Foster, General Partner

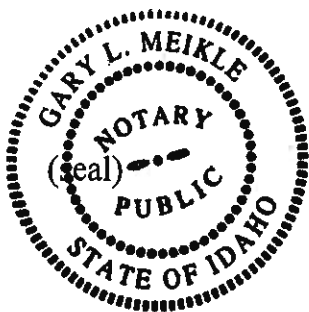
By: *Boyd S. Foster*
Boyd S. Foster, General Partner

By: *Laurie Foster*
Laurie Foster, General Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19 day of February, 2009, before me the undersigned, a notary public in and for said State, personally appeared Bradley D. Foster and Sharol Foster, known or identified to me to be the partners in the partnership of Foster Company and the partner or partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

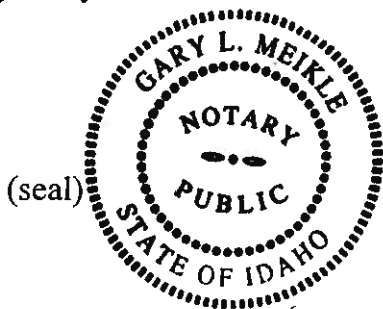


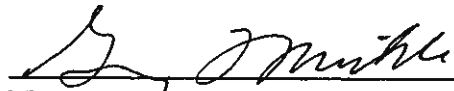
Gary L. Meikle
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/15/09

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19 day of February, 2009, before me the undersigned, a notary public in and for said State, personally appeared Boyd S. Foster and Laurie Foster, known or identified to me to be the partners in the partnership of Foster Company and the partner or partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/15/09

G:\WPDATA\GLM\5288-007\deeds\Osgood\FC to FC.bonneville (jeppesen).wpd:

EXHIBIT "A"

TRACT I:

The East Half West Half of Section 12, Township 3 North, Range 35 East, Boise Meridian.

ALSO: The East Half East Half of Section 13, Township 3 North, Range 35 East of the Boise Meridian, LESS a four acre right-of-way.

ALSO: The East Half West Half of Section 19, Township 3 North, Range 36 East of the Boise Meridian.

ALSO: The East Half Northeast Quarter of Section 24, Township 3 North, Range 35 East of the Boise Meridian, LESS a two acre right-of-way.

TRACT II:

Township 3 North, Range 35 East of the Boise Meridian, Bonneville County, Idaho

Section 12: W1/2 W1/2

Section 13: W1/2 E1/2

Section 24: W1/2 NE1/4

Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho

Section 19: W1/2 W1/2

MWT 2008011497

Instrument # 1294814
IDAHO FALLS, BONNEVILLE, IDAHO
2008-03-31 02:35:00 PM No. of Pages: 3
Recorded for: MOUNTAIN WEST TITLE & ESC
RONALD LONGMORE Fee 9.00
Ex-Officio Recorder Deputy SJacobs
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED, **K. Merle Jeppesen and Janice V. Jeppesen**, husband and wife, of 434 Morgan Drive, Rexburg, Idaho 83440; **Dale S. Jeppesen and Susan H. Jeppesen**, husband and wife, of 1347 North 1000 East, Rexburg, Idaho 83440; **Marie Jensen**, a married woman, dealing with her sole and separate property, of 497 North 4000 East, Rigby, Idaho 83442; **Linda Howard**, a married woman, dealing with her sole and separate property, of 1930 East Pratt Street, Meridian, Idaho 83642, and **Judy Barton**, a married woman, dealing with her sole and separate property, of 45 Chateau Way, Smithfield, Utah 84335, hereinafter called "Grantors", hereby remises, releases, and forever warrants unto **The Foster Company**, an Idaho General Partnership, whose mailing address is P.O. Box 626, Ririe, Idaho 83443, hereinafter called "Grantee," the following described real property situated in Bonneville County, Idaho, to-wit:

The East Half West Half of Section 12, Township 3 North, Range 35 East, Boise Meridian.

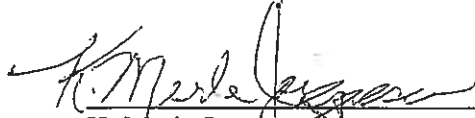
ALSO: The East Half East Half of Section 13, Township 3 North, Range 35 East of the Boise Meridian, LESS a four acre right-of-way.

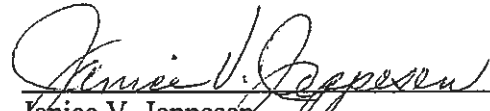
ALSO: The East Half West Half of Section 19, Township 3 North, Range 36 East of the Boise Meridian.

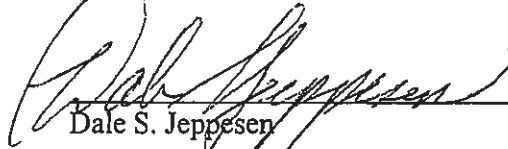
ALSO: The East Half Northeast Quarter of Section 24, Township 3 North, Range 35 East of the Boise Meridian, LESS a two acre right-of-way.

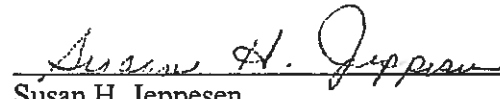
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, unto the said Grantee, his heirs and assigns forever. Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that it is free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever, except as noted.

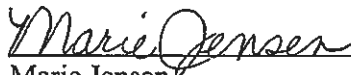
DATED This 31 day of March, 2008.

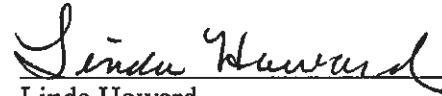

K. Merle Jeppesen

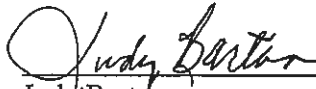

Janice V. Jeppesen


Dale S. Jeppesen


Susan H. Jeppesen


Marie Jensen

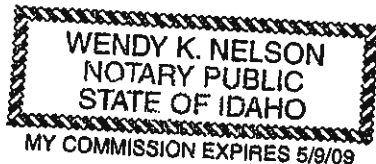

Linda Howard


Judy Barton

STATE OF IDAHO)
)
) ss.
County of Bonneville.)

On this 31st day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Marie Jensen, Linda Howard, and Judy Barton, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

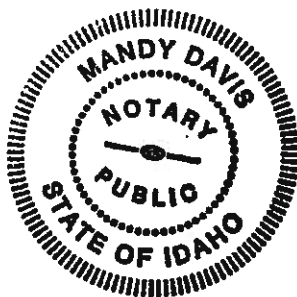


Wendy K. Nelson
Notary Public for Idaho
Residing at: Idaho Falls ID
My Commission expires: 5/9/09

STATE OF IDAHO,)
)
) ss.
County of Madison.)

On this 28th day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared **Dale S. Jeppesen and Susan H. Jeppesen**, husband and wife; **K. Merle Jeppesen and Janice V. Jeppesen** known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

WARRANTY DEED

KYLE ELMO JEPPESEN and BRENDA S. JEPPESEN, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
THE FOSTER COMPANY, an Idaho General Partnership, as GRANTEE,
whose address is PO Box 6240 Rivier ID 83443 and Grantee's successors and assigns, all of the following described real
property, to-wit:

Township 3 North, Range 35 East of the Boise Meridian, Bonneville County, Idaho

Section 12: W1/2 W1/2

Section 13: W1/2 E1/2

Section 24: W1/2 NE1/4

Instrument # 1294816
IDAHO FALLS, BONNEVILLE, IDAHO
2008-03-31 02:35:00 PM No. of Pages: 1
Recorded for: MOUNTAIN WEST TITLE & ESC
RONALD LONGMORE Fee: 3.00
Ex-Officio Recorder Deputy SJacobs
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho

Section 19: W1/2 W1/2

**SUBJECT TO the 2008 and subsequent years general taxes and assessments, all existing patent
reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and
applicable building codes, laws and regulations.**

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in
anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warranty and agree to forever defend the Grantee, and Grantee's successors and
assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: March 26, 2008.

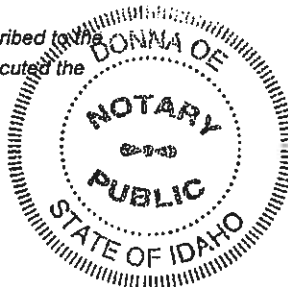
Kyle Elmo Jespen
KYLE ELMO JEPPESEN
Brenda S. Jespen
BRENDA S. JEPPESEN

STATE OF IDAHO)
) ss
COUNTY OF BONNEVILLE)

On March 26, 2008, before me, the undersigned, personally appeared
KYLE ELMO JEPPESEN and BRENDA S. JEPPESEN,
known or identified to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he/she/they executed the
same.

Donna Oe

Notary Public for the State of Idaho
Commission Expiration Date: 4-30-08



TRUSTEE'S DEED

THIS INDENTURE, Made this 20th day of October, 1994, between KEITH L. JEPPESEN, of 66 North First East, Rexburg, Idaho 83440, K. MERLE JEPPESEN, of 1347 Morgan Drive, Rexburg, Idaho 83440, and DALE S. JEPPESEN, of 1347 North 1000 East, Rexburg, Idaho 83440, as Co-Trustees of The Keith L. and Iola S. Jeppesen Trust, the parties of the first part, and K. MERLE JEPPESEN, of 1347 Morgan Drive, Rexburg, Idaho 83440 and DALE S. JEPPESEN, of 1347 North 1000 East, Rexburg, Idaho 83440, the parties of the second part,

WITNESSETH, That the said parties of the first part, as said Co-Trustees, pursuant to the provisions of said trust, since said Iola S. Jeppesen is now deceased, do hereby grant and convey unto the said parties of the second part, and to their heirs and assigns forever, an undivided one-half interest in and to the interest of said trust in and to the following described real estate situated in Bonneville County, Idaho, to-wit:

The East Half West Half of Section 12, Township 3 North, Range 35 East, Boise Meridian.

ALSO: The East Half East Half of Section 13, Township 3 North, Range 35 East of the Boise Meridian, LESS a four acre right-of-way.

ALSO: The East Half West Half of Section 19, Township 3 North, Range 36 East of the Boise Meridian.

ALSO: The East Half Northeast Quarter of Section 24, Township 3 North, Range 35 East of the Boise Meridian, LESS a two acre right-of-way.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and

the reversions, remainders, rents, issues and profits thereof;
and all right, title and interest in and to said premises, as
well in law as in equity.

IN WITNESS WHEREOF, the said trust, by and through its
co-trustees, has executed this deed the day and year first above
written.

"THE KEITH L. AND IOLA S.
JEPPESEN TRUST"

By: Keith L. Jeppesen
Keith L. Jeppesen
Trustee

By: K. Merle Jeppesen
K. Merle Jeppesen
Trustee

By: Dale S. Jeppesen
Dale S. Jeppesen
Trustee

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 20th day of October, 1994, before me, the
undersigned, a Notary Public in and for said State, personally
appeared KEITH L. JEPPESEN, K. MERLE JEPPESEN and DALE S.
JEPPESEN, known to me to be the persons whose names are
subscribed to the within instrument as co-trustees of The Keith
L. and Iola S. Jeppesen Trust and acknowledged to me that they
executed the same as such co-trustees.

IN WITNESS WHEREOF, I have hereunto set my hand and

affixed my official seal the day and year in this certificate
first above written.



Larry W. Legby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 3-12-99

INSTRUMENT NO.	889678
DATE	11-18-94
INST. CODE	210
FICHE NO.	10252-40
FEE	900
STATE OF IDAHO	
COUNTY OF BLAINE	
I hereby certify that the within instrument was recorded.	
Ronald Longino, County Recorder	
By	<u>[Signature]</u> Deputy
Record of	<u>Mary Jeppesen</u>

94 NOV 18 PM 12 03

BONNEVILLE COUNTY
RECORDER

889678

434 Morgan Dr
Rexburg 83440

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/15/2009

WATER RIGHT NO. 35-13845

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER LAND & CATTLE CO PO BOX 626 RIRIE, ID 83443

Priority Date: 05/23/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.12 CFS	48 AFA
Total Diversion			0.12 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESESE|Sec. 13|Township 03N|Range 35E|BONNEVILLE County

IRRIGATION Use:

Acre Limit: 12

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	35E	13		NENE	40		NWNE	38		SWNE	39		SENE	40
				NESE	39		NWSE	39		SWSE	37		SESE	40
	36E	24		NENE	40		NWNE	39		SWNE	39		SENE	40
				NENW	40		NWNW	37		SWNW	38		SENW	40
		19		NESW	40		NWSW	38		SWSW	38		SESW	40

Total Acres: 781

Conditions of Approval:

1. X27 This right is limited to the irrigation of 12 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-2757, 35-7629A and 35-13845 when combined shall not exceed the irrigation of 781 acres.
3. R05 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. R02 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. 214 Prior to the diversion and use of water under Transfer approval 75092, 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. 213 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. R64 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. F06 The following rights are diverted through point(s) of diversion described above: 35-2757, 35-7629A, 35-13845.
11. T19 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.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/15/2009

WATER RIGHT NO. 35-7629A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER AGRO INC PO BOX 308 RIRIE, ID 83443-0308 (208)538-5170
Directors Report Owner	MERLE W BUTIKOFER
Directors Report Owner	ULENE BUTIKOFER 424 N 3900 E RIGBY, ID 83442 (208)745-8338
Original Owner	RICHARD J LARSEN 267 W 4650 N REXBURG, ID 83440 (208)356-0452
Original Owner	DOUGLAS P HOLM
Original Owner	JOLENE HOLM PO BOX 57 ROBERTS, ID 83444

Priority Date: 07/27/1976

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.31 CFS	132.2 AFA

Total Diversion | 0.31 CFS

Location of Point(s) of Diversion:

GROUND WATER | NESESE | Sec. 13 | Township 03N | Range 35E | BONNEVILLE County

IRRIGATION Use:

Acre Limit: 35

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	35E	13		NENE	40		NWNE	38		SWNE	39		SENE	40
				NESE	39		NWSE	39		SWSE	37		SESE	40
		24		NENE	40		NWNE	39		SWNE	39		SENE	40
	36E	19		NENW	40		NWNW	37		SWNW	38		SENW	40
				NESW	40		NWSW	38		SWSW	38		SESW	40

Total Acres: 781

Conditions of Approval:

1. X27 This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-2757, 35-7629A and 35-13845 when combined shall not exceed the irrigation of 781 acres.
Use of water under this right will be regulated by a watermaster with responsibility for the
3. R05 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. R02 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. Prior to the diversion and use of water under Transfer approval 75092, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in
5. 214 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.

[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

6/15/2009

WATER RIGHT NO. 35-2757

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE FOSTER COMPANY PO BOX 626 RIRIE, ID 83443 (208)538-5170
Original Owner	J ELMO JEPPESEN 170 N HWY 33 REXBURG, ID 83440 (208)356-6967
Original Owner	KYLE E JEPPESEN 357 E 1 N REXBURG, ID 83440 (208)356-9824
Original Owner	KEITH JEPPESEN 66 N 100 E REXBURG, ID 83440 (208)356-6605

Priority Date: 01/14/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	7.7 CFS	2936 AFA
Total Diversion			7.7 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESESE|Sec. 13|Township 03N|Range 35E|BONNEVILLE County

IRRIGATION Use:

Acre Limit: 734

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	35E	13		NENE	40		NWNE	38		SWNE	39		SENE	40
				NESE	39		NWSE	39		SWSE	37		SESE	40
		24		NENE	40		NWNE	39		SWNE	39		SENE	40
				NENW	40		NWNW	37		SWNW	38		SENW	40
	36E	19		NESW	40		NWSW	38		SWSW	38		SESW	40

Total Acres: 781

Conditions of Approval:

1. X27 This right is limited to the irrigation of 734.0 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-2757, 35-7629A and 35-13845 when combined shall not exceed the irrigation of 781 acres.
Use of water under this right will be regulated by a watermaster with responsibility for the
3. R05 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. R02 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.
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5. 214 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.