

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75815

This is to certify that: FOSTER LAND & CATTLE
 PO BOX 40
 RIRIE ID 83443
 (208)538-5172

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>
25-57B	WR/Decreed	04/01/1876	1.06 cfs	211.2 af	52.8	132.0	WILLOW CREEK

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>
25-57B	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>
25-57B	25-57B	1.06 cfs	211.2 af	52.8	132.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.06 cfs	211.2 af	52.8	132.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19 day of August, 2009

Ernst Carlson
 for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 25-5713

WATER RIGHT NO. 25-57B
As Modified by Transfer No. 75815

In accordance with the approval of Transfer No. 75815, Water Right No. 25-57B is now described as follows.

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

Priority Date: April 01, 1876

Source: WILLOW CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	03/01	to 12/01	0.12 CFS	
IRRIGATION	04/01	to 10/31	1.06 CFS	211.2 AF

LOCATION OF POINT(S) OF DIVERSION:

WILLOW CREEK SWNWSE Sec. 16 Twp 03N Rge 40E BONNEVILLE
County

PLACE OF USE: IRRIGATION

[illegible]

Total Acres: 132

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 52.8 acres within the place of use described above in a single irrigation season.
2. 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.
3. 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).
4. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. The following rights are diverted through point(s) of diversion described above: 25-00057B, 25-00057A, 25-00059, 25-00136B, 25-00137B

WATER RIGHT NO. 25-57B
As Modified by Transfer No. 75815

CONDITIONS OF APPROVAL

9. 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.
10. 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.

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 19 day of August, 20 09

Ernst Carlson
for Chief, Water Allocation Bureau