

Transfer No. 75092

Receipt No.E034435

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information FOSTER LAND & CATTLE CO
PO BOX 626
RIRIE ID 83443

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-2757	WR/License	7.70	2,936.0		734.0	GROUND WATER
35-7629A	WR/License	0.31	132.2		35.0	GROUND WATER
35-7509B	WR/Decreed	1.58	316.0	79.0	2,310.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2757	NO	NO	YES	NO	NO	NO
35-7629A	NO	YES	YES	NO	NO	NO
35-7509B	YES	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

change the place of use and point of diversion for 35-7629a and a portion of 35-7509b by moving 47 acres to this combined place of use with existing water right 35-2757 and existing well. remaining portion of 35-7509B is being rearranged by transfer 75094.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-2757	7.70 cfs	734.0	781.0	2,936.0 af
35-7629A	0.31 cfs	35.0	781.0	132.2 af

Page 2

35-13845

0.12 cfs

12.0

781.0

48.0 af

TOTAL

8.13 cfs

781.0

781.0

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert L. Jarvis

(Signature of Applicant)

ATTORNEY

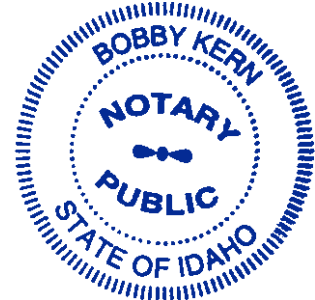
(Title or Office)

Subscribed and sworn to before me this 18th day of November, 2008.

Bobby Kern

(Notary Public)

My commission expires 9-12-2014



Transfer No. 75092
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-2757

Priority Date: January 14, 1965
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	7.70 CFS	2,936.0 AFA	
	Total Diversion	7.70 CFS	2,936.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESESE Sec. 13 Twp 03N Rge 35E BONNEVILLE
County

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 35E 13	40.0	38.0	39.0	40.0									39.0	39.0	35.0	40.0	310.0
03N 35E 24	40.0	39.0	39.0	40.0													158.0
03N 36E 19					12.0	20.0	38.0	40.0	40.0	38.0	38.0	40.0					266.0

Total Acres: 734

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
it will be dry

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Current Water Right No. 35-7629A

Source: GROUND WATER

Source and Point(s) of Diversion:

PLACE OF USE: IRRIGATION

Total Acres: 35

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-07335B, 35-07337, 35-07509B, 35-07628

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Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
it will be dry

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-7509B

Priority Date: May 23, 1975
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	1.58 CFS	316.0 AFA	
	Total Diversion	1.58 CFS	316.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENESW	Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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11. Rights 35-7335B, 35-7337, 35-7509B and 35-7628 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 2216.0 af at the field headgate, and the irrigation of 554 acres.
12. This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Receipt No.E034435

Proposed Water Right No. 35-7629A

Status: Active

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

GROUND WATER NESESE Sec. 13 Twp 03N Rge 35E BONNEVILLE
County

Point of Diversion # 1 WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM.

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			<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>			
03N	35E	13	40.0	38.0	39.0	40.0											39.0	39.0	37.0	40.0	312.0
03N	35E	24	40.0	39.0	39.0	40.0															158.0
03N	36E	19					40.0	37.0	38.0	40.0	40.0	38.0	38.0	40.0							311.0

75 092

Proposed Water Right No. 35-13845

Origin:

Status: Pending Transfer

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.12 CFS	48.0 AFA	
	Total Diversion	0.12 CFS	48.0 AFA	

GROUND WATER NESESE Sec. 13 Twp 03N Rge 35E BONNEVILLE
County

Point of Diversion # 1 WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM.

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	
03N	35E	13	40.0	38.0	39.0	40.0									39.0	39.0	37.0	40.0	312.0
03N	35E	24	40.0	39.0	39.0	40.0													158.0
03N	36E	19					40.0	37.0	38.0	40.0	40.0	38.0	38.0	40.0					311.0

75 092

Transfer No. 75092

Receipt No.E034435

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 35-7509B BEING TRANSFERRED

Priority Date: May 23, 1975

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	1.58 CFS	316.0 AFA	
	Total Diversion	1.58 CFS	316.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENESEW	Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Form 222
1-87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART IRECEIVED
SEP 23 2008Department of Water Resources
Eastern Region

Name of Applicant Foster Land & Cattle Co. Phone (208) 538-5170
 Applicant's Address: PO Box 626 Ririe, ID 83443 Applicant's Email: _____
 Attorney Name: Robert L. Harris Attorney Email: rharris@holdenlegal.com Phone (208) 523-0620
 Attorney PO address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., PO Box 50130, Idaho Falls, Idaho 83405

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To change place of use for Water Right No. 35-7629A and a portion of 35-7509B by moving a total of 45 authorized acres from irrigation from 4N 35E Sec. 29 and Sec. 33 to combine with place of use for Water Right 35-2757 for the irrigation of acres in the N1/2NW1/4 of 3N, 36E, Sec. 19.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>35-7629A</u>	<u>07/27/1976</u>	<u>.31/132.20</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
	<u>35-7509B (portion)</u>	<u>5/23/1975</u>	<u>.1/40</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
	<u>35-2757</u>	<u>5/23/1975</u>	<u>7.7/2936</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
			<u>8.13</u>		
	COMBINED		8.11/3108.2		

2. Total amount of water being transferred .41 cubic feet per second and/or 172.20 acre-feet per annum.
 3. Source of water Ground water Tributary to _____
 4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SE	13	3N	35E	JEFFERSON	Well for 35-2757
							BONNEVILLE	

5. Lands irrigated or place of use: (Permissible place of use for all water rights)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	35E	13	40	38	39	40									39	39	35	40	310
3N	35E	24	40	39	39	40													158
3N	36E	19					40	37	38	40	40	38	38	40					311

6. General Information:

- a. Description of diversion system Well and pump
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes _____ No X. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Irrigated acreage will cease on lands in the NW1/4, SW1/4, and SE1/4 of 4N 35E Sec. 29. Irrigation will commence on portion of lands in N1/2NW1/4 of 3N 36E Sec. 19.
- d. Remarks:
No mitigation is required for this transfer. See attached transfer tool spreadsheet and charts. The water right places of use is being moved approximately 3 miles. Water Right No. 35-7509B was originally part of a stacked group of water rights, which combined authorized the irrigation of 2,310 acres with 22.58 cfs and 9240 AFA. See attached Transfer No. 70089. Thus, is units of diversion rate per acre, there was .0098 cfs/acre. For 10 acres, this amounts to .1 cfs, which is the amount proposed to be transferred for 35-7509B. Water Right No. 35-7629A is being moved in its entirety to the new place of use. Water Right No. 35-2757 not being moved, but will be combined with 35-7629A and the 10-acre portion of 35-7509B to irrigate a total of 779 acres. Water Right No. 35-2757 is currently in the name of Kyle and Keith Jeppesen, and needs to be updated to the new owner Foster Land & Cattle.

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2008.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

35-2757: ALL OF THIS WATER RIGHT IS BEING MOVED

**35-7509B (A TEN-ACRE PORTION) IS BEING UNSTACKED AND MOVED
FROM ITS ORIGINAL 2310 ACRE PLACE OF USE.**

*(ATTACH ONE COPY FOR EACH RIGHT)
SEE ATTACHMENTS FOR IDWR RECOMMENDATION OR SRBA CLAIM*

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

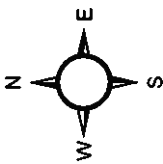
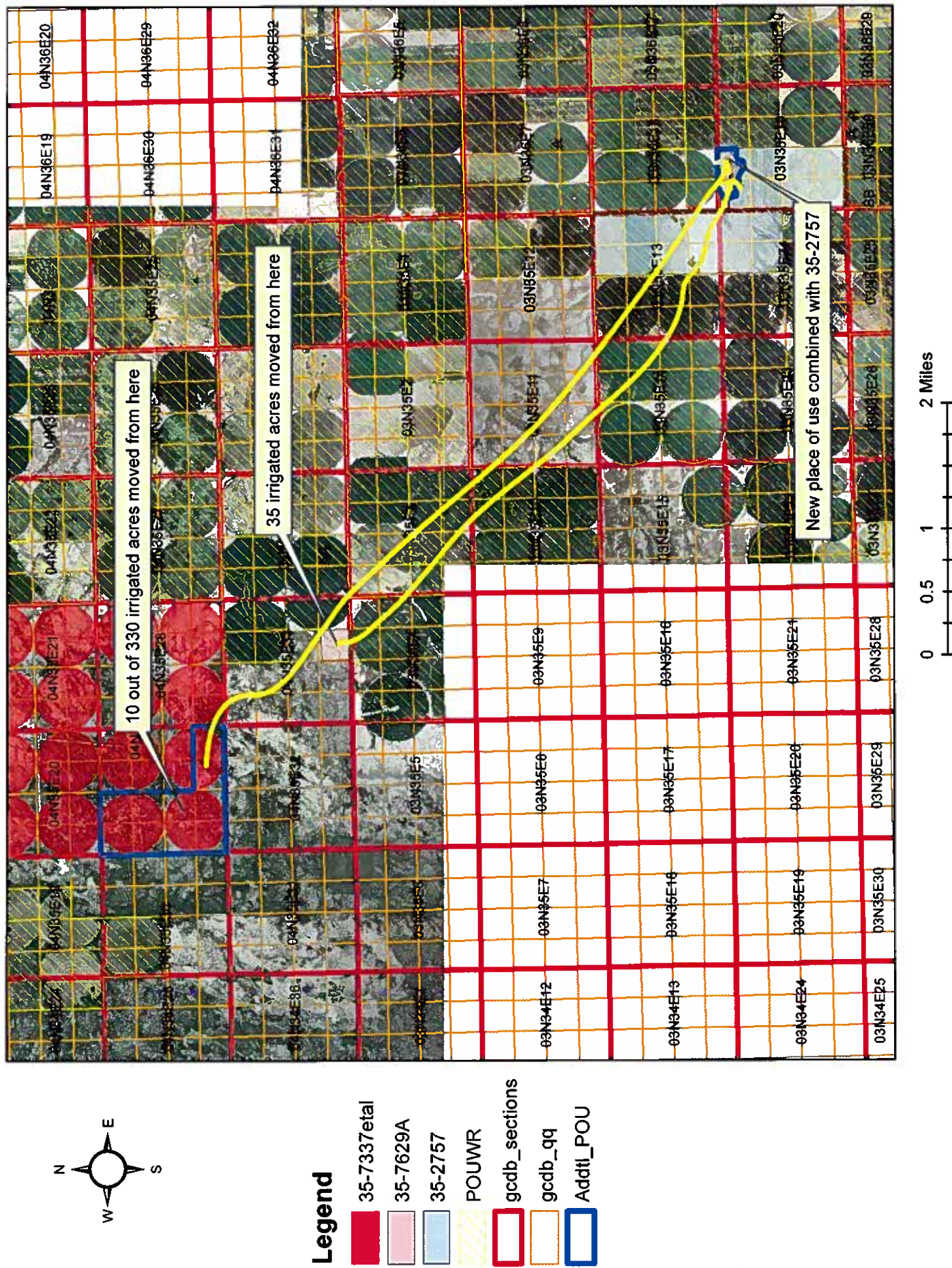
☐ Tax Notice

☒ Warranty Deed

☒ Other Water Rights and CRP contract

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes. If yes, describe For 35-7509B, land is currently under CRP contract.

FOSTER LAND & CATTLE TRANSFER



Legend

- 35-7337etal
- 35-7629A
- 35-2757
- POUWR
- gcdb_sections
- gcdb_qq
- Addtl_POU



B. CHANGES IN NATURE OF USE

1.

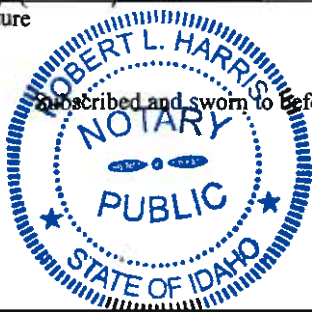
<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
n/a			_____ to _____ _____ to _____
2. Quantity and quality of return flows and location of discharge:
n/a
3. Describe effects on other water uses resulting from the proposed change:
n/a

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Signature

Print Name, including title



Subscribed and sworn to before me this 19th day of September, 2008.

Notary Public for IDAHOResiding at: Ammon, IDMy Commission Expires 11/18/2010**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 250 - E034435

Received by _____ Date 9/23/08

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

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 6220 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

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.

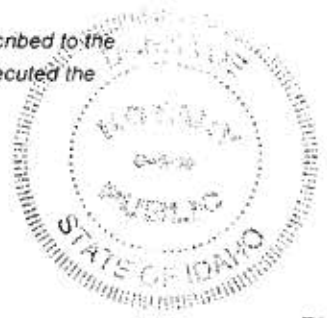
Dated: March 26, 2008.

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



MWT 2008011497

Instrument # 1294814
ID. 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.

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.

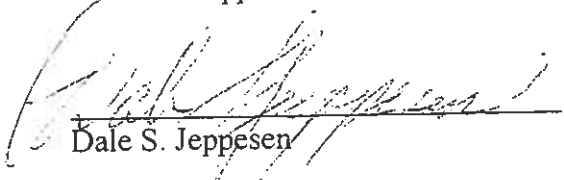
ALSO: The East Half West Half of Section 19, Township 3 North, Range 36 East of the Boise Meridian.

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.

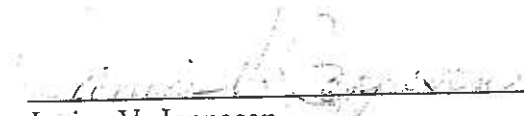
DATED This 31 day of March, 2008.

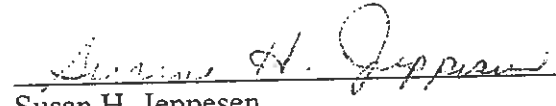

K. Merle Jeppesen

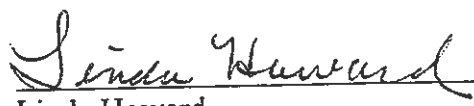

Dale S. Jeppesen


Marie Jensen


Judy Barton


Janice V. Jeppesen


Susan H. Jeppesen


Linda Howard

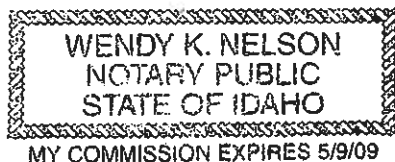
STATE OF IDAHO

)
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

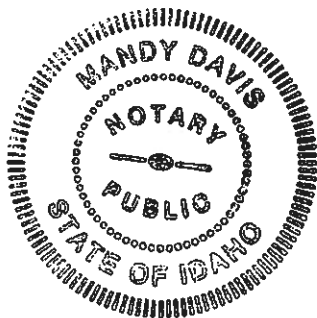
STATE OF IDAHO,

)
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

MWT 2008011497

QUITCLAIM DEED

FOR VALUE RECEIVED, **Keith L. Jeppesen**, of 66 North 1st East, Rexburg, Idaho 83440, **K. Merle Jeppesen**, of 434 Morgan Drive, Rexburg, Idaho 83440, **Dale S. Jeppesen**, of 1347 North 1000 East, Rexburg, Idaho 83440 and **Marie Jensen**, of 497 North 4000 East, Rigby, Idaho 83442, all as co-Trustees of **The Keith L. and Iola S. Jeppesen Trust**, the parties of the first part, "Grantors", do hereby remise, release and forever QUITCLAIM unto, **The Foster Company**, an Idaho General Partnership, whose mailing address is P.O. Box 626, Ririe, Idaho 83443, all of such Trust's interest held, in and to the following described property situated in Bonneville County, Idaho:

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 to the property, including all existing fixtures; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho.

ML07 2008011497

QUITCLAIM DEED

FOR VALUE RECEIVED, **Keith L. Jeppesen**, of 66 North 1st East, Rexburg, Idaho 83440, **K. Merle Jeppesen**, of 434 Morgan Drive, Rexburg, Idaho 83440, **Dale S. Jeppesen**, of 1347 North 1000 East, Rexburg, Idaho 83440 and **Marie Jensen**, of 497 North 4000 East, Rigby, Idaho 83442, all as co-Trustees of **The Keith L. and Iola S. Jeppesen Trust**, the parties of the first part, "Grantors", do hereby remise, release and forever QUITCLAIM unto, **The Foster Company**, an Idaho General Partnership, whose mailing address is P.O. Box 626, Ririe, Idaho 83443, all of such Trust's interest held, in and to the following described property situated in Bonneville County, Idaho:

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 to the property, including all existing fixtures; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho.

DATED This 31 day of March, 2007.

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

By: Keith L. Jeppesen
Keith L. Jeppesen, Co-Trustee

By: K. Merle Jeppesen
K. Merle Jeppesen, Co-Trustee

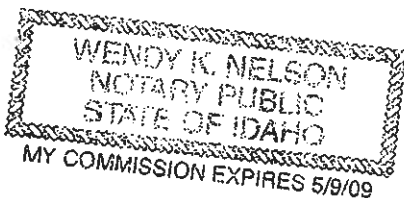
By: Dale S. Jeppesen
Dale S. Jeppesen, Co-Trustee

By: Marie Jensen
Marie Jensen, Co-Trustee

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 KEITH L. JEPPESEN, K. MERLE JEPPESEN, DALE S. JEPPESEN and MARIE JENSEN, 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.



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

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

09/19/2008

WATER RIGHT NO. 35-2757

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KYLE E JEPPESEN 357 E 1 N REXBURG, ID 83440 (208)356-9824
Current Owner	KEITH JEPPESEN 66 N 100 E REXBURG, ID 83440 (208)356-6605
Original Owner	J ELMO JEPPESEN 170 N HWY 33 REXBURG, ID 83440 (208)356-6967

Priority Date: 01/14/1965

Basis: Decreed

Status: Active

Source GROUND WATER	Tributary
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	7.7 CFS	2936 AFA
Total Diversion			7.7 CFS	

Location of Point(s) of Diversion:

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75 092

GROUND WATER	NESESE	Sec. 13	Township 03N	Range 35E	BONNEVILLE County
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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	35		SESE	40
		24		NENE	40		NWNE	39		SWNE	39		SENE	40
	36E	19		NENW	12		NWNW	20		SWNW	38		SENW	40
				NESW	40		NWSW	38		SWSW	38		SESW	40

Total Acres: 734

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412 (6), IDAHO CODE.
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Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

75 09 2

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

75 092

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-07629A

2002 MAY 20 PM 4:17

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED 10 13

NAME AND ADDRESS: FOSTER AGRO INC
PO BOX 308
RIGBY, ID 83442

SOURCE: GROUNDWATER

QUANTITY: 0.31 CFS
132.20 APY

PRIORITY DATE: 07/27/1976

POINT OF DIVERSION: T04N R35E S28 NWSE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.31 CFS 132.20 APY

PLACE OF USE: Irrigation Within Jefferson County
T04N R35E S33 SWSE 35.0
35.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70089

This is to certify that: FOSTER LAND & CATTLE CO
 C/O HOLDEN, KIDWELL, HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405
 (208)523-0620

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
35-7337	WR/Decreed	10/10/1973	5.45 cfs	N/A	318.0	554.0	GROUND WATER
35-7509B	WR/Decreed	05/23/1975	1.58 cfs	N/A	79.0	554.0	GROUND WATER
35-7335B	WR/Decreed	10/10/1973	0.98 cfs	N/A	77.0	554.0	GROUND WATER
35-7628	WR/Decreed	07/27/1976	1.6 cfs	N/A	80.0	554.0	GROUND WATER
35-7500	WR/Decreed	04/08/1975	12.8 cfs	N/A	640.0	2,290.0	GROUND WATER
35-7328	WR/Decreed	09/25/1973	12.8 cfs	N/A	640.0	2,290.0	GROUND WATER
35-7509A	WR/Decreed	05/23/1975	6.4 cfs	N/A	320.0	2,290.0	GROUND WATER
35-7329	WR/Decreed	09/25/1973	12.64 cfs	N/A	632.0	2,290.0	GROUND WATER
35-7416C	WR/Decreed	04/18/1974	1.6 cfs	N/A	80.0	2,290.0	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>
35-7337	NO	NO	YES	YES	NO	NO
35-7509B	NO	NO	YES	YES	NO	NO
35-7335B	NO	NO	YES	YES	NO	NO
35-7628	NO	NO	YES	YES	NO	NO
35-7500	YES	NO	YES	YES	NO	NO
35-7328	YES	NO	YES	YES	NO	NO
35-7509A	YES	NO	YES	YES	NO	NO
35-7329	YES	NO	YES	YES	NO	NO
35-7416C	YES	NO	YES	YES	NO	NO

MICROFILMED
 FEB 25 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70089

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-7337	35-7337	5.45 cfs	1272 af	318.0	2,310		N/A	N/A	N/A	N/A
35-7509B	35-7509B	1.58 cfs	316 af	79.0	2,310		N/A	N/A	N/A	N/A
35-7335B	35-7335B	0.98 cfs	308 af	77.0	2,310		N/A	N/A	N/A	N/A
35-7628	35-7628	1.6 cfs	320 af	80.0	2,310		N/A	N/A	N/A	N/A
35-7500	35-13405	12.41 cfs	2484 af	621.0	2,310	35-13404	0.39 cfs	N/A	19.0	70.0
35-7328	35-13399	12.41 cfs	2484 af	621.0	2,310	35-13398	0.39 cfs	N/A	19.0	70.0
35-7509A	35-13407	6.2 cfs	1240 af	310.0	2,310	35-13406	0.20 cfs	N/A	10.0	70.0
35-7329	35-13401	12.25 cfs	2452 af	613.0	2,310	35-13400	0.39 cfs	N/A	19.0	70.0
35-7416C	35-13403	1.55 cfs	308 af	77.0	2,310	35-13402	0.05 cfs	N/A	3.0	70.0
TOTALS		22.58 cfs	9240 af	2310	2310		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of January, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

75 09 2

WATER RIGHT NO. 35-7335B
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-7335B is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: October 10, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.98 CFS	308.0 AF
			0.98 CFS	308.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESE	Sec. 16	Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 20	Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 21	Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec. 28	Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW	Sec. 29	Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE	Sec. 31	Twp 04N	Rge 35E	JEFFERSON County

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	
04N	35E	16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N	35E	20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	28	33.0	33.0	33.0	33.0					33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N	35E	29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-7335B

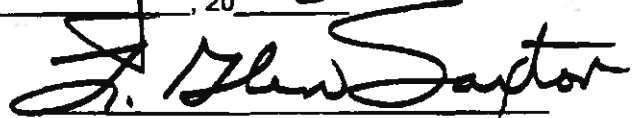
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres.
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. Rights 35-7335B, 35-7337, 35-7509B and 35-7628 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 2216.0 af at the field headgate, and the irrigation of 554 acres.
12. This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003



Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-7337
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-7337 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: October 10, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	5.45 CFS	1,272.0 AF
			5.45 CFS	1,272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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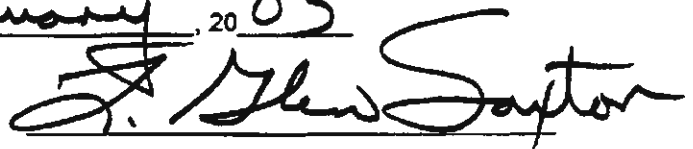
WATER RIGHT NO. 35-7337
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. Rights 35-7335B, 35-7337, 35-7509B and 35-7628 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 2216.0 af at the field headgate, and the irrigation of 554 acres.
12. This right is limited to the irrigation of 318 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003



Chief, Water Allocation Bureau

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WATER RIGHT NO. 35-7509B
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-7509B is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: May 23, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01		1.58 CFS	316.0 AF
			1.58 CFS	316.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N	35E	16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N	35E	20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	28	33.0	33.0	33.0	33.0					33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N	35E	29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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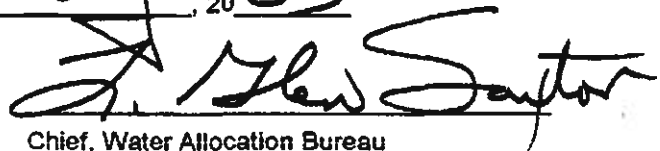
WATER RIGHT NO. 35-7509B
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. Rights 35-7335B, 35-7337, 35-7509B and 35-7628 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 2216.0 af at the field headgate, and the irrigation of 554 acres.
12. This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

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WATER RIGHT NO. 35-7628
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-7628 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: July 27, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.60 CFS	320.0 AF
			1.60 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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FEB 25 2003

WATER RIGHT NO. 35-7628
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. Rights 35-7335B, 35-7337, 35-7509B and 35-7628 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 2216.0 af at the field headgate, and the irrigation of 554 acres.
12. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 35-13401
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13401 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: September 25, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	12.25 CFS	2,452.0 AF
			12.25 CFS	2,452.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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FEB 25 2003

WATER RIGHT NO. 35-13401
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. This right is limited to the irrigation of 613 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

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FEB 25 2003

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WATER RIGHT NO. 35-13403
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13403 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: April 18, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.55 CFS	308.0 AF
			1.55 CFS	308.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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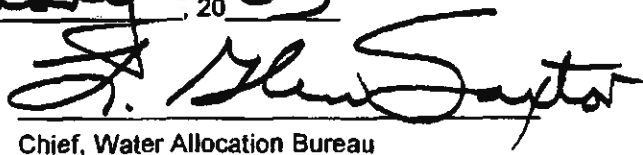
WATER RIGHT NO. 35-13403
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 35-13398
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13398 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: September 25, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.39 CFS
			0.39 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	SENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	35E	6	7.0	7.0	7.0	7.0												28.0	
04N	35E	31	L1	L2	7.0	7.0								7.0	7.0	7.0	7.0	42.0	

Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19 acres within the place of use described above in a single irrigation season.
2. Rights 35-13398, 35-13400, 35-13402, 35-13404 and 35-13406 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 70 acres.
3. 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 13th day of January, 2003

MICROFILMED

FEB 25 2003

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13399
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13399 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: September 25, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	12.41 CFS	2,484.0 AF
			12.41 CFS	2,484.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N 35E 16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N 35E 20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N 35E 28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N 35E 29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

MICROFILMED

FEB 25 2003

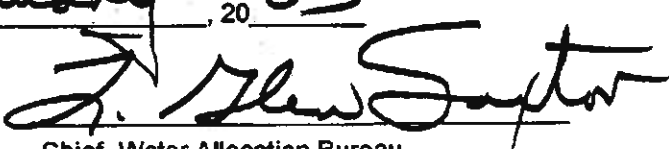
WATER RIGHT NO. 35-13399
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. This right is limited to the irrigation of 621 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

MICROFILMED
FEB 25 2003

WATER RIGHT NO. 35-13402
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13402 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: April 18, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.05 CFS
			0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	SENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	35E	6	7.0	7.0	7.0	7.0													28.0
			L1	L2															
04N	35E	31		7.0	7.0										7.0	7.0	7.0	7.0	42.0

Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
2. Rights 35-13398, 35-13400, 35-13402, 35-13404 and 35-13406 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 70 acres.
3. 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 13th day of January, 2003


 Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 35-13404
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13404 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: April 08, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.39 CFS
			0.39 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	SENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	35E	6	7.0	7.0	7.0	7.0												28.0	
04N	35E	31	L1	L2	7.0	7.0									7.0	7.0	7.0	7.0	42.0

Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19 acres within the place of use described above in a single irrigation season.
2. Rights 35-13398, 35-13400, 35-13402, 35-13404 and 35-13406 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 70 acres.
3. 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 13th day of January, 2003

[Signature]
 Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 35-13405
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13405 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: April 08, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	12.41 CFS	2,484.0 AF
			12.41 CFS	2,484.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESE	Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE	Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N	35E	16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N	35E	20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	28	33.0	33.0	33.0	33.0					33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N	35E	29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

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FEB 25 2003

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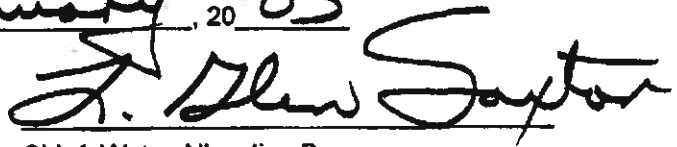
WATER RIGHT NO. 35-13405
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. This right is limited to the irrigation of 621 acres within the place of use described above in a single irrigation season.

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 13th day of January, 2003


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 35-13400
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13400 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: September 25, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.39 CFS
			0.39 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	SENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	35E	6	7.0	7.0	7.0	7.0												28.0	
04N	35E	31	L1	L2	7.0	7.0									7.0	7.0	7.0	7.0	42.0

Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19 acres within the place of use described above in a single irrigation season.
2. Rights 35-13398, 35-13400, 35-13402, 35-13404 and 35-13406 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 70 acres.
3. 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 13th day of January, 2003

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-13406
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13406 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: May 23, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.20 CFS
			0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESW	Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWSW	Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	SENE	Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	35E	8	7.0	7.0	7.0	7.0												28.0	
04N	35E	31	L1	L2	7.0	7.0								7.0	7.0	7.0	7.0	42.0	

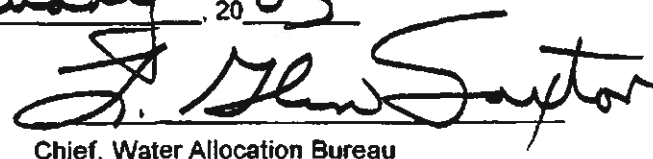
Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.
2. Rights 35-13398, 35-13400, 35-13402, 35-13404 and 35-13406 when combined shall not exceed a total diversion rate of 0.48 cfs and the irrigation of 70 acres.
3. 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 13th day of January, 2003


 Chief, Water Allocation Bureau

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FEB 25 2003

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WATER RIGHT NO. 35-13407
As Modified by Transfer No. 70089

In accordance with the approval of Transfer No. 70089, Water Right No. 35-13407 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 308
 RIGBY ID 83442

Priority Date: May 23, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	6.20 CFS	1,240.0 AF
			6.20 CFS	1,240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW Sec. 16 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 20 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENESW Sec. 21 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NWNWSE Sec. 28 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NENWSW Sec. 29 Twp 04N	Rge 35E	JEFFERSON County
GROUND WATER	NESENE Sec. 31 Twp 04N	Rge 35E	JEFFERSON County

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	
04N	35E	16									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
04N	35E	20	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	21	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0
04N	35E	28	33.0	33.0	33.0	33.0			33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	462.0
04N	35E	29	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 2310

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

MICHAEL J. ...

FEB 25 2003

WATER RIGHT NO. 35-13407

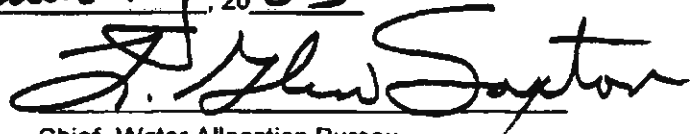
As Modified by Transfer No. 70089

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 35-7335, 35-7337, 35-7509B, 35-7628, 35-13399, 35-13401, 35-13404, 35-13405 and 35-13407 shall not exceed 22.58 cfs, nor total combined annual volume of 9240.0 af for the irrigation of a total of 2310 acres..
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 lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. 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.
10. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11. This right is limited to the irrigation of 310 acres within the place of use described above in a single irrigation season.

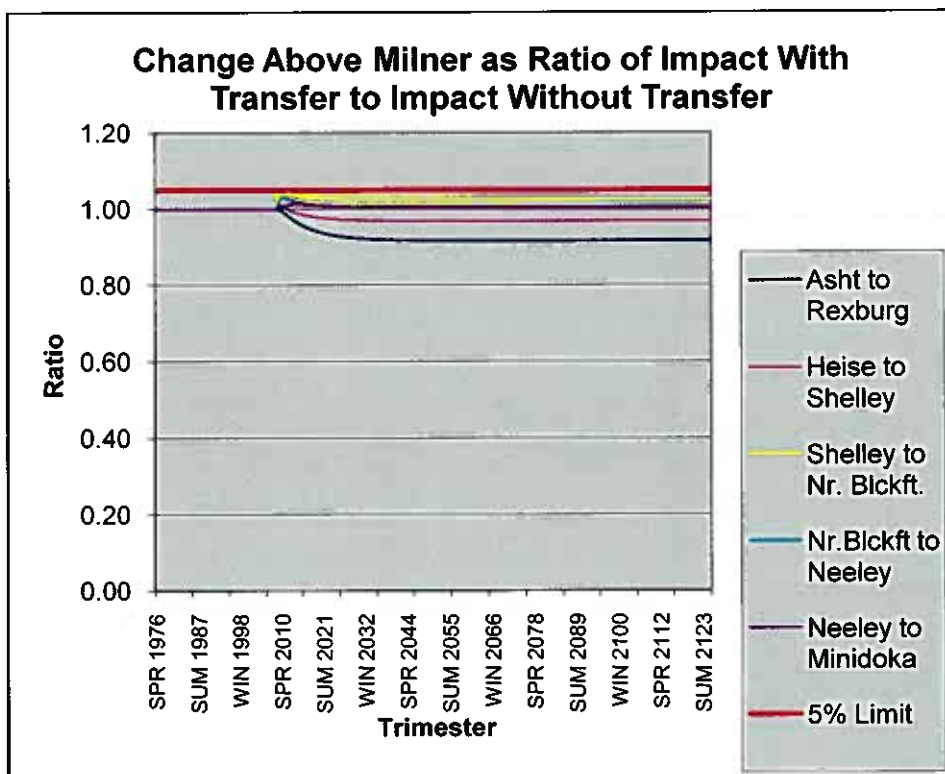
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

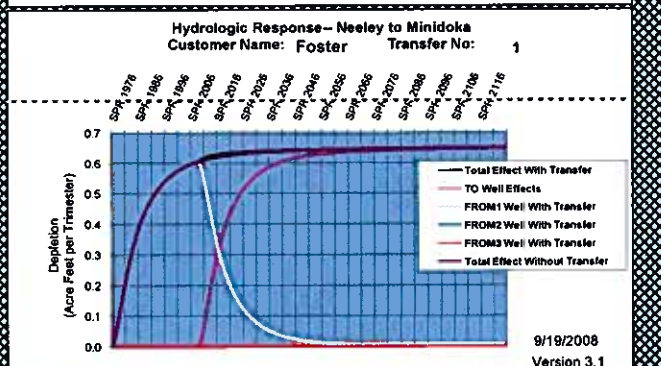
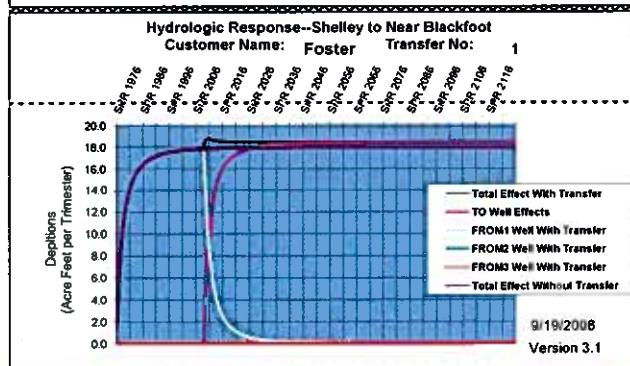
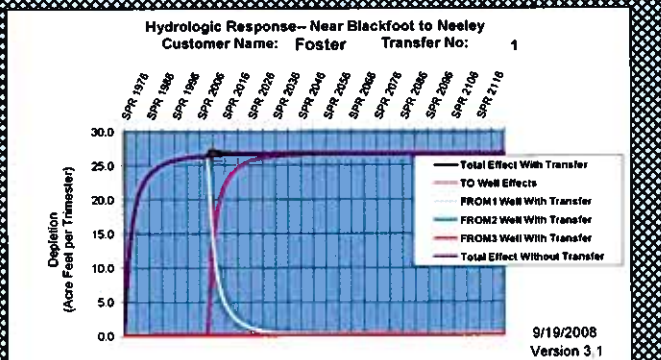
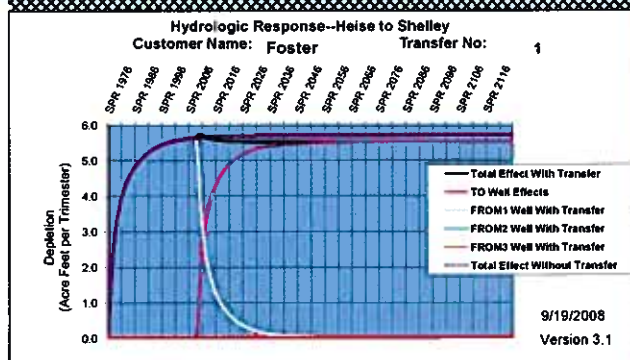
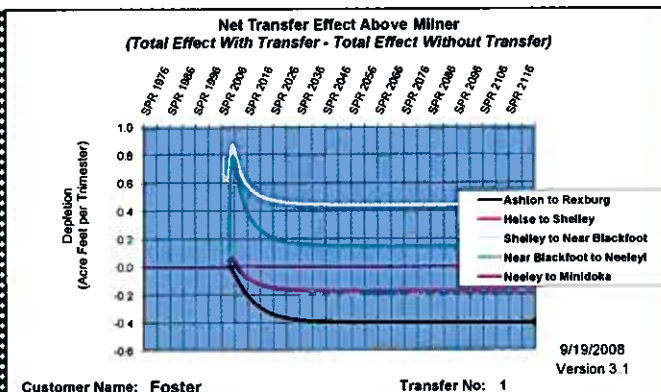
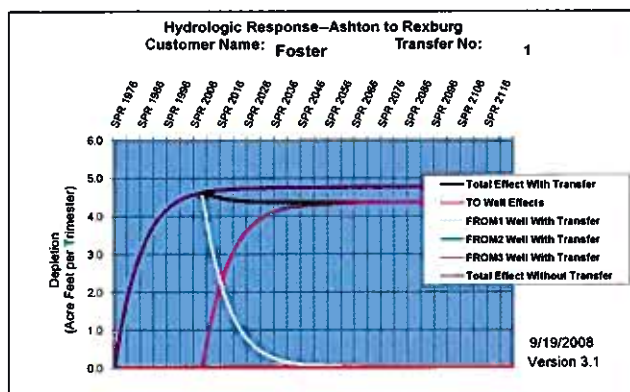
Dated this 13th day of January, 2003

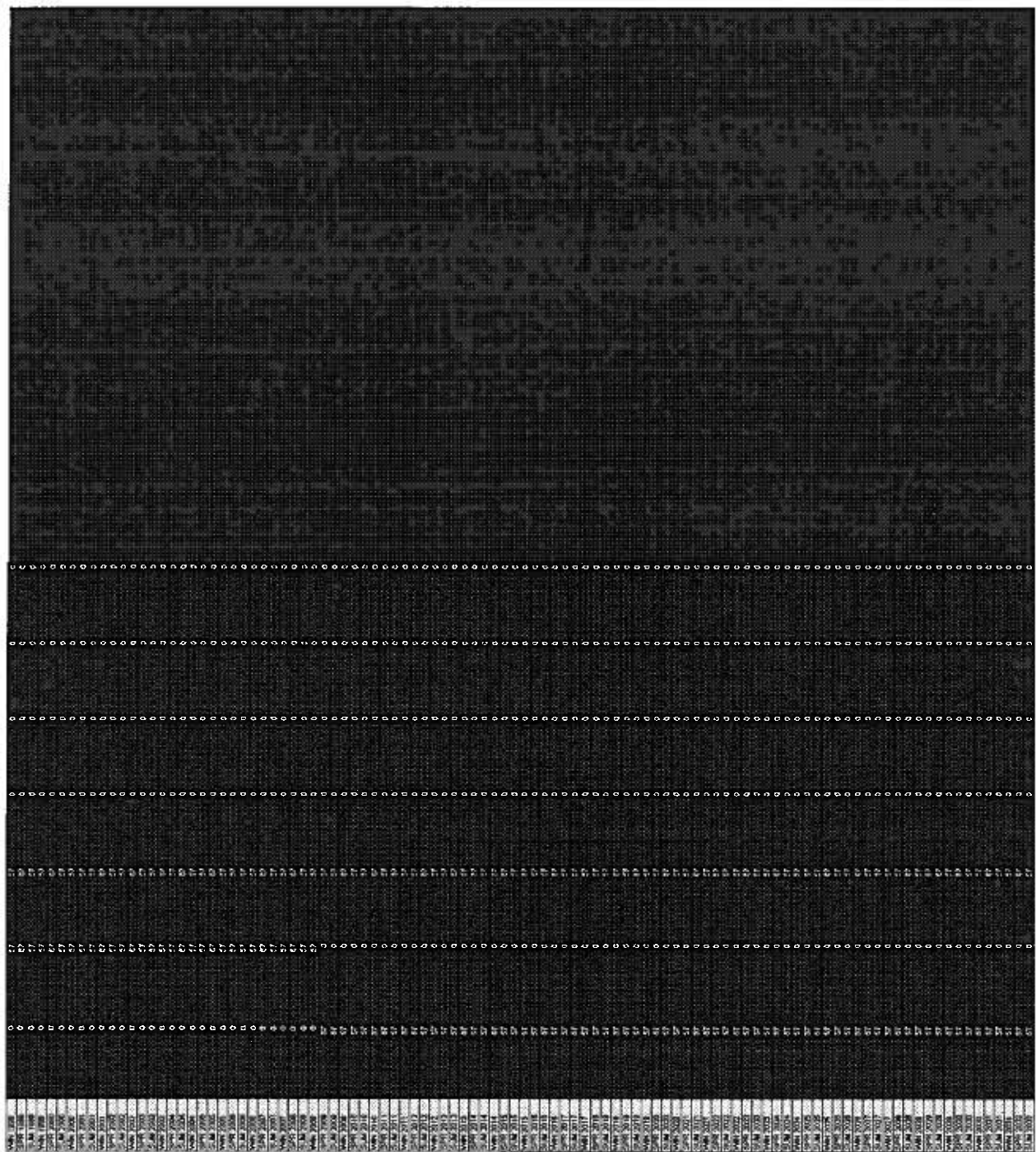

Chief, Water Allocation Bureau

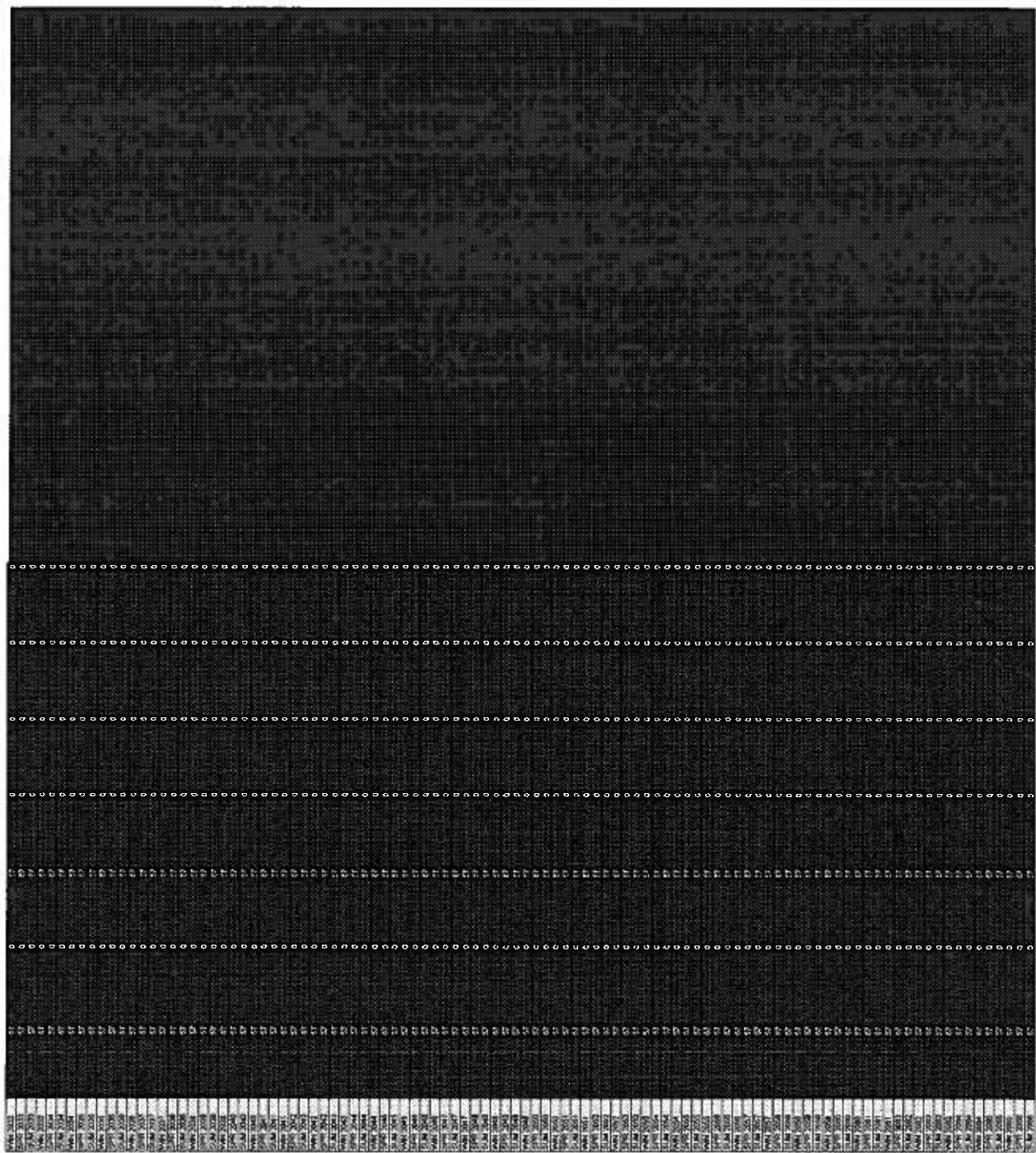
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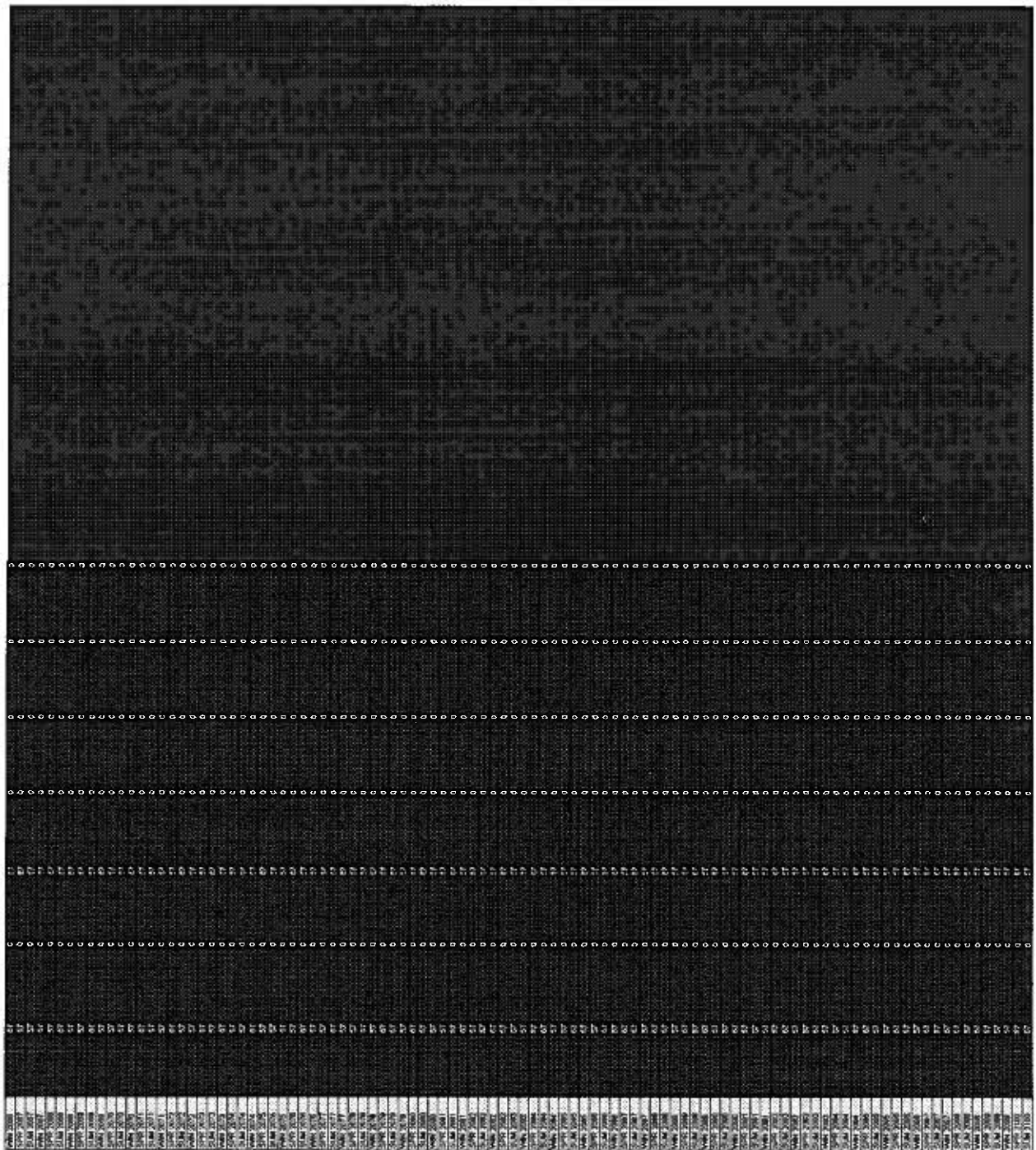
FEB 25 2003



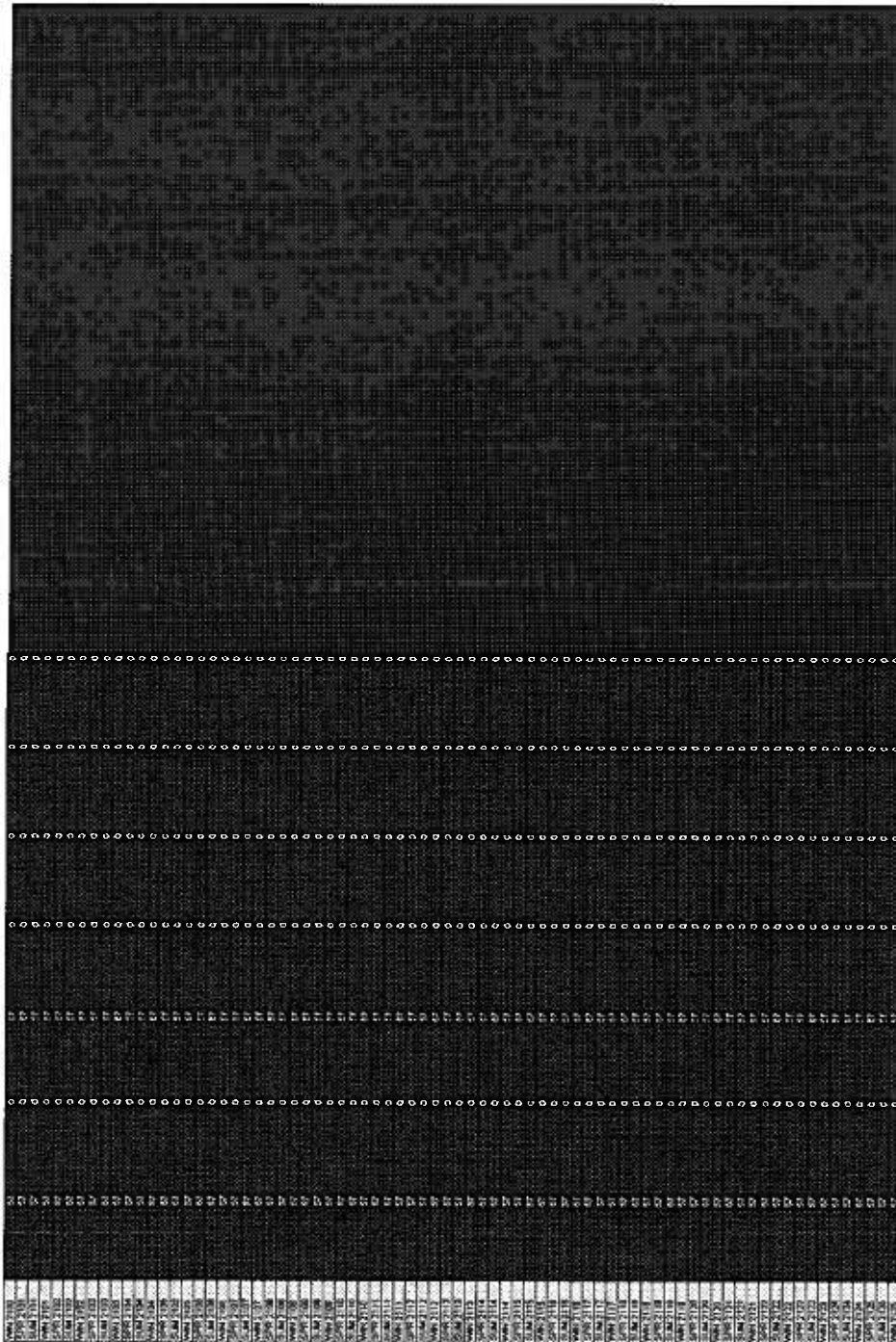








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List of Share and Annual Payment Data on CRP Contracts for Producer

Name: FOSTER COMPANY PTR ID: *****1194 E
 Address: PO BOX 626

RIRIE, ID. 83443-0626

CONTRACT NUMBER	CONTRACT STATUS	FARM NUMBER	PRO- GRAM YEAR	ACRES APPROVED	CON- TRACT SHARE	CONTRACT ANNUAL PAYMENT	CALCULATED SHARE OF ANNUAL PAYMENT
35B	S	2101	1998	663.8	ALL		
36C	S	1417	1998	70.2	ALL		
37B	S	2101	2000	1,659.8	.3900		
55A	G	2097	2004	455.2	ALL		
71A	EP	3565	2007	42.7	ALL		
72A	EP	3565	2007	3.3	ALL		

ON ALL ACTIVE CRP CONTRACTS FOR THIS PRODUCER

TOTAL ACRES APPROVED: 2,895.0

TOTAL CALCULATED SHARES OF ANNUA

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2008

DATE: 09-19-2008

Producer Name and Address ID
 FOSTER COMPANY PTR 1194
 PO BOX 626
 RIRIE, ID 83443-0626

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	CLU/Field	Ir Pr	Var/ C/C	Int Type	C/C Use	Rpt Stat	Reported Quantity	Determined Quantity	Crp Lnd	Planting Date	Prod Share	Prod Name	RMA Opt
1417	9112	1	Ir	CRP		10	I A	70.17		Y	04-01-1998	1.0000	FOSTER COMPANY PTR	
Photo Number/Legal Description: 9112 K14 28-4-35														
Cropland: 70.2 Farmland: 80.0														
1791	1218	1	Ir	GRASS NAG	Graze	I A		.89		Y		1.0000	FOSTER COMPANY PTR	
		2	Ir	GRASS NAG	Graze	I A		.82		Y		1.0000	FOSTER COMPANY PTR	
		4	Ir	GRASS NAG	Graze	I A		1.36		Y		1.0000	FOSTER COMPANY PTR	
		5	Ir	GRASS NAG	Graze	I A		2.46		Y		1.0000	FOSTER COMPANY PTR	
		3	Ir	BARLY SPR	Grain	I A		34.93		Y	04-12-2008	1.0000	FOSTER COMPANY PTR	
		6	Ir	BARLY SPR	Grain	I A		27.75		Y	04-12-2008	1.0000	FOSTER COMPANY PTR	
Photo Number/Legal Description: 1218 Z14 16-4-39														
Cropland: 68.2 Farmland: 80.0														
2097	9091	1	Ir	GRASS NAG	Graze	I A		3.75		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		2	Ir	GRASS NAG	Graze	I A		17.86		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		3	Ir	GRASS NAG	Graze	I A		39.31		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
	9116	1	Ir	CRP		1 I A		71.40		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		2	Ir	CRP		1 I A		152.50		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		3	Ir	CRP		1 I A		95.00		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		4	Ir	CRP		1 I A		64.40		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		5	Ir	CRP		1 I A		64.70		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
		6	Ir	CRP		1 I A		15.40		Y	04-15-1992	1.0000	FOSTER COMPANY PTR	
Photo Number/Legal Descriptions: 9091 K15 33-4-35														
9116 K14 28-4-35														
Cropland: 524.3 Farmland: 560.0														
2101	9406	13	Ir	CRP		10	I A	284.67		Y	04-01-1998	1.0000	FOSTER COMPANY PTR	

PAGE 1

75 09 2

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2008

DATE: 09-19-2008

Form Number	Tract Number	CLU/Field	Ir Pr	C/C	Var/Type	Int Use	C/C Stat	Rpt Unit	Reported Quantity	Determined Quantity	Crp Lnd	Planting Date	Prod Share	Prod Name	RMA Opt	Unt
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14	Ir	CRP				10	I	A	147.79		Y	04-01-1998	1.0000	FOSTER COMPANY PTR		
15	Ir	CRP				10	I	A	107.83		Y	04-01-1998	1.0000	FOSTER COMPANY PTR		
16	Ir	CRP				10	I	A	123.49		Y	04-01-1998	1.0000	FOSTER COMPANY PTR		
12	Ir	GRASS NAG	Graze				I	A	128.70		Y		1.0000	FOSTER COMPANY PTR		

Photo Number/Legal Description: 9406 J14,J15,K14,K15 30,31,6,20,21,29,32 4-35

Cropland: 2452.3 Farmland: 2890.0

2102	9408	1	Ni	GRASS NAG	Graze		I	A	78.10		Y		1.0000	FOSTER COMPANY PTR		
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Photo Number/Legal Description: 9408 K14 28-4-35

Cropland: 78.1 Farmland: 79.0

3430	1203	1	Ni	ALFAL	Forage		I	A	6.59		Y	04-15-2000	1.0000	FOSTER COMPANY PTR		
		2	Ir	BARLY SPR	Grain		I	A	58.29		Y	04-13-2008	1.0000	FOSTER COMPANY PTR		
		3	Ni	ALFAL	Forage		I	A	4.84		Y	04-15-2000	1.0000	FOSTER COMPANY PTR		
	1204	1	Ir	BARLY SPR	Grain		I	A	64.32		Y	04-13-2008	1.0000	FOSTER COMPANY PTR		

Photo Number/Legal Descriptions: 1203 AA13 15-4-39
1204 AA14 15-16-4-39

Cropland: 134.0 Farmland: 176.0

3565	9703	1	Ni	CRP		1	I	A	1.57		Y		1.0000	FOSTER COMPANY PTR		
		2	Ir	GRASS NAG	Graze		I	A	5.57		Y		1.0000	FOSTER COMPANY PTR		
		5	Ni	CRP		1	I	A	4.18		Y		1.0000	FOSTER COMPANY PTR		
		6	Ir	CRP		2	I	A	6.05		Y		1.0000	FOSTER COMPANY PTR		
		7	Ir	WHEAT SWS	Grain		I	A	84.06		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		
		9	Ni	CRP		1	I	A	11.99		Y		1.0000	FOSTER COMPANY PTR		
		11	Ni	CRP		1	I	A	4.22		Y		1.0000	FOSTER COMPANY PTR		
		12	Ir	WHEAT SWS	Grain		I	A	61.49		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		
		14	Ir	WHEAT SWS	Grain		I	A	79.80		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		
		15	Ni	CRP		1	I	A	2.78		Y		1.0000	FOSTER COMPANY PTR		
		13	Ni	CRP		1	I	A	6.42		Y		1.0000	FOSTER COMPANY PTR		
		8	Ni	CRP		1	I	A	5.48		Y		1.0000	FOSTER COMPANY PTR		
		3	Ir	WHEAT SWS	Grain		I	A	22.79		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		
		4	Ir	WHEAT SWS	Grain		I	A	65.00		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		
		10	Ir	WHEAT SWS	Grain		I	A	64.01		Y	04-17-2008	1.0000	FOSTER COMPANY PTR		

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2008

DATE: 09-19-2008

Farm Number	Tract Number	CCU Field	Ir Pr	C/C	Var/Type	Int Use	C/C Stat	Rpt Unit	Reported Quantity	Determined Quantity	Crop Lnd	Planting Date	Prod Share	Prod Name	RMA Opt
3565	9704	1	Ni	CRP		1	I	A	3.33		Y		1.0000	FOSTER COMPANY PTR	
		2	Ir	WHEAT SWS	Grain		I	A	34.02		Y	04-17-2008	1.0000	FOSTER COMPANY PTR	
		3	Ir	WHEAT SWS	Grain		I	A	1.48		Y	04-17-2008	1.0000	FOSTER COMPANY PTR	
Photo Number/Legal Descriptions:									9703	N14	29-4-36				
									9704	N14	29-4-36				
Cropland:									459.3	Farmland:	480.0				

3797	10367	1	Ir	BARLY SPR	Grain		I	A	140.85		Y	04-15-2008	1.0000	FOSTER COMPANY PTR	
		1B	Ir	FALLOW			I	A	8.00		Y		1.0000	FOSTER COMPANY PTR	
		2	Ir	FALLOW			I	A	12.44		Y		1.0000	FOSTER COMPANY PTR	
		3	Ir	FALLOW			I	A	11.65		Y		1.0000	FOSTER COMPANY PTR	
		4	Ir	FALLOW			I	A	6.29		Y		1.0000	FOSTER COMPANY PTR	
		6	Ir	FALLOW			I	A	8.80		Y		1.0000	FOSTER COMPANY PTR	
		7A	Ir	WHEAT HRS	Grain		I	A	130.00		Y	04-10-2008	1.0000	FOSTER COMPANY PTR	
		7B	Ir	FALLOW			I	A	56.90		Y		1.0000	FOSTER COMPANY PTR	
		8	Ir	WHEAT HRS	Grain		I	A	122.74		Y	04-10-2008	1.0000	FOSTER COMPANY PTR	

Photo Number/Legal Description: 10367 22-4-35

Cropland: 632.4 Farmland: 640.0

C/C	Type	Prac	IU	Reported	Determined	C/C	Type	Prac	IU	Reported	Determined	C/C	Type	Prac	IU	Reported	Determined
ALFAL	N	FG		11.43		BARLY SPR	I	GR		326.14		GRASS NAG	I	GZ		200.72	
FALLOW	I			104.08		WHEAT HRS	I	GR		252.74		CRP	I	10		733.95	
GRASS NAG	N	GZ		78.10		CRP	I	1		463.40		CRP	N	1		39.97	
CRP	I	2		6.05		WHEAT SWS	I	GR		412.65							

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

STATE OF IDAHO)
)ss
County of Bonneville)

We, the undersigned (Foster Land & Cattle Co., The Foster Company, and Foster Agro, Inc.), have reviewed the three (3) Applications for Transfer which are being submitted to the Idaho Department of Water Resources which involve water rights owned by Foster Land & Cattle Co. and Foster Agro, Inc. which are to be moved to lands owned by The Foster Company. We have been working together and coordinating these transfers, and have reviewed them in detail, and consent to the movement of these water rights upon or from our respective properties as requested in the transfer applications.

FOSTER LAND & CATTLE CO.


By: Brad Foster
Its: Partner

THE FOSTER COMPANY


By: Boyd Foster
Its: Partner

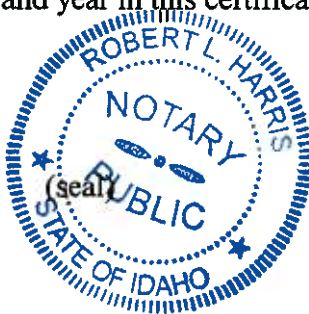
FOSTER AGRO, INC.


By: Boyd Foster
Its: President

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19th day of September, 2008, before me the undersigned, a notary public in and for said State, personally appeared Brad Foster, known or identified to me to be one of the partners of Foster Land & Cattle Co., and the partner or one of the partners who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in the name of Foster Land & Cattle, Co.

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

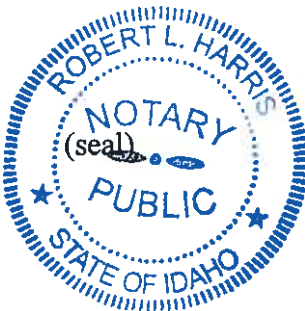


Robert L. Harris
Notary Public for Idaho
Residing at Ammon, ID, Idaho
My Commission Expires: 11/18/2010

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19th day of September, 2008, before me the undersigned, a notary public in and for said State, personally appeared Boyd Foster, known or identified to me to be one of the partners of The Foster Company, and the partner or one of the partners who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in the name of The Foster Company.

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



Robert L. Harris
Notary Public for Idaho
Residing at Ammon, ID, Idaho
My Commission Expires: 11/18/2010

STATE OF IDAHO

)

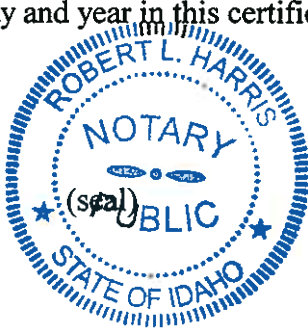
)ss.

County of Bonneville

)

On the 19th day of September, 2008, before me the undersigned, a notary public in and for said State, personally appeared Boyd Foster, known or identified to me to be the President of Foster Agro, Inc., and the person who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in the name of Foster Agro, Inc.

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



Robert L. Harris
Notary Public for Idaho
Residing at Ammon, Idaho
My Commission Expires: 11/10/2010

FILED EFFECTIVE

246



**STATEMENT OF PARTNERSHIP
AUTHORITY** 200

2007 JUL 27 PM 4: 16

(Instructions on back of application)

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

- Foster Land and Cattle Co.
1. The name of the partnership is: _____
2. The street address of its chief executive office is: 400 Market St., Ririe, Idaho, 83443
- _____
3. The street address of one (1) office in Idaho: 400 Market St., Ririe, Idaho, 83443
- _____
4. The names and mailing addresses of all partners (attached sheets may be added):

Name
Brad Foster

Address
P. O. Box 40, Ririe, Idaho, 83443

Boyd Foster

P. O. Box 626, Ririe, Idaho, 83443

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

Brad Foster

Boyd Foster

8. Signature of at least 2 partners:

Typed Name Brad Foster

2) Boyd Foster
Typed Name Boyd Foster

3) _____

Typed Name _____

Secretary of State use only

THE

IDAHO SECRETARY OF STATE
07/27/2007 05:00
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Web Page

V517

246



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

2007 JUL 27 PM 4:17

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: The Foster Company
2. The street address of its chief executive office is: 400 Market St., Ririe, Idaho, 83443

3. The street address of one (1) office in Idaho: 400 Market St., Ririe, Idaho, 83443

4. The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
Boyd Foster	P. O. Box 626, Ririe, Idaho, 83443
Brad Foster	P. O. Box 40, Ririe, Idaho, 83443

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

Boyd Foster
Brad Foster

Boyd Foster
Brad Foster

6. Signature of at least 2 partners:

1) *Boyd Foster*
Typed Name Boyd Foster

2) *Brad Foster*
Typed Name Brad Foster

3) _____
Typed Name _____

Secretary of State use only

IDAHO SECRETARY OF STATE
07/27/2007 05:00
CK: NONE CT: 12945 BH: 1867872
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K518

No. C 65874	Due no later than Feb 29, 2008 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. FOSTER AGRO INC. BOYD FOSTER P. O. BOX 308 RIRIE ID 83443		BOYD FOSTER 353 N 4300 E RIGBY ID 83442 3. <u>New</u> Registered Agent Signature:*
	4. Corporations: Enter Names and Business Addresses of President, Secretary, Directors and(optional) Treasurer.		
Office Held	Name	Street or PO Address	City State Country Postal Code
TREASURER	LAURIE FOSTER	PO BOX 308	RIRIE ID USA 83443
DIRECTOR	BRAD FOSTER	PO BOX 308	RIRIE ID USA 83443
SECRETARY	SHAROL FOSTER	PO BOX 308	RIRIE ID USA 83443
PRESIDENT	BOYD S FOSTER	PO BOX 308	RIRIE ID USA 83443
5. Organized Under the Laws of: ID C 65874		6. Annual Report must be signed.* Signature: Boyd Foster Name (type or print): Boyd Foster Date: 02/19/2008 Title: President	
Processed 02/19/2008		* Electronically provided signatures are accepted as original signatures.	

246



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

2007 JUL 27 PM 4:17

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: The Foster Company
2. The street address of its chief executive office is: 400 Market St., Ririe, Idaho, 83443
3. The street address of one (1) office in Idaho: 400 Market St., Ririe, Idaho, 83443
4. The names and mailing addresses of all partners (attached sheets may be added):

Name
Boyd Foster

Address
P. O. Box 626, Ririe, Idaho, 83443

Brad Foster

P. O. Box 40, Ririe, Idaho, 83443

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

Boyd Foster

Brad Foster

6. Signature of at least 2 partners:

1)

Typed Name Boyd Foster

2)

Typed Name Brad Foster

3)

Typed Name

Secretary of State use only

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K518

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STATEMENT OF PARTNERSHIP AUTHORITY

2007 JUL 27 PM 4:16

(Instructions on back of application)

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

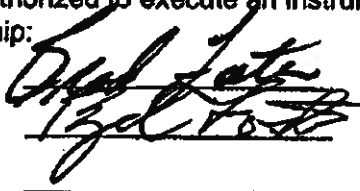
1. The name of the partnership is: Foster Land and Cattle Co.
2. The street address of its chief executive office is: 400 Market St., Ririe, Idaho, 83443
3. The street address of one (1) office in Idaho: 400 Market St., Ririe, Idaho, 83443

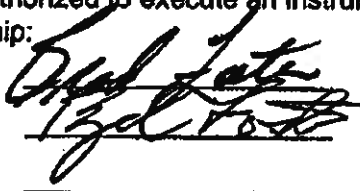
4. The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
<u>Brad Foster</u>	<u>P. O. Box 40, Ririe, Idaho, 83443</u>
<u>Boyd Foster</u>	<u>P. O. Box 626, Ririe, Idaho, 83443</u>

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

Brad Foster 

Boyd Foster 

6. Signatures of at least 2 partners:

1) 
Typed Name Brad Foster

2) 
Typed Name Boyd Foster

3) _____
Typed Name _____

Secretary of State use only

Revised 04/2001

Web Form

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07/27/2007 05:00
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