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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69611

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. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-13398	WR/Decreed	09/25/1973	0.39 cfs	N/A	19.0	70.0	GROUND WATER
35-13400	WR/Decreed	09/25/1973	0.39 cfs	N/A	19.0	70.0	GROUND WATER
35-13402	WR/Decreed	04/18/1974	0.05 cfs	N/A	3.0	70.0	GROUND WATER
35-13404	WR/Decreed	04/08/1975	0.39 cfs	N/A	19.0	70.0	GROUND WATER
35-13406	WR/Decreed	05/23/1975	0.20 cfs	N/A	10.0	70.0	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>
35-13398	NO	YES	YES	NO	YES	YES
35-13400	NO	YES	YES	NO	YES	YES
35-13402	NO	YES	YES	NO	YES	YES
35-13404	NO	YES	YES	NO	YES	YES
35-13406	NO	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13398	25-13990	0.39 cfs	55.5 af	N/A	N/A		N/A	N/A	N/A	N/A
35-13400	25-13991	0.39 cfs	55.5 af	N/A	N/A		N/A	N/A	N/A	N/A
35-13402	25-13992	0.05 cfs	8.8 af	N/A	N/A		N/A	N/A	N/A	N/A
35-13404	25-13993	0.39 cfs	55.5 af	N/A	N/A		N/A	N/A	N/A	N/A
35-13406	25-13994	0.20 cfs	29.3 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.48 cfs	204.6 af	N/A	N/A		N/A	N/A	N/A	N/A

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69611

Detailed Water Right Description(s) attached

Dated this 3 day of September, 2003

J. P. [Signature]
for Chief, Water Allocation Bureau

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OCT 07 2003

WATER RIGHT NO. 25-13990
As Modified by Transfer No. 69611

In accordance with the approval of Transfer No. 69611, Water Right No. 25-13990 is now described as follows.

Right Holder: LOUIS SKAAR & SONS INC
 421 N 3200 E
 LEWISVILLE ID 83431

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>
COMMERCIAL	01/01	to 12/31	0.39 CFS	55.5 AF
			0.39 CFS	55.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 11 Twp 04N Rge 37E JEFFERSON
 County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 37E 11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

1. Rights 25-13990, 25-13991, 25-13992, 25-13993 and 25-13994 when combined shall not exceed a total diversion rate of 0.48 cfs.
2. Prior to the diversion and use of water under Transfer approval 69611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for a feedlot.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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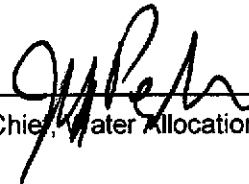
WATER RIGHT NO. 25-13990
As Modified by Transfer No. 69611

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 3 day of September, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED

OCT 17 2003

WATER RIGHT NO. 25-13991
As Modified by Transfer No. 69611

In accordance with the approval of Transfer No. 69611, Water Right No. 25-13991 is now described as follows.

Right Holder: LOUIS SKAAR & SONS INC
 421 N 3200 E
 LEWISVILLE ID 83431

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>
COMMERCIAL	01/01	to 12/31	0.39 CFS	55.5 AF
			0.39 CFS	55.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 11 Twp 04N Rge 37E JEFFERSON
 County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	37E	11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

CONDITIONS OF APPROVAL

1. Rights 25-13990, 25-13991, 25-13992, 25-13993 and 25-13994 when combined shall not exceed a total diversion rate of 0.48 cfs.
2. Prior to the diversion and use of water under Transfer approval 69611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for a feedlot.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICHAEL J. HALL
 OCT 07 2003

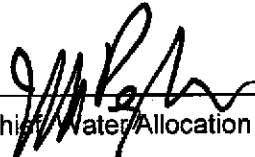
WATER RIGHT NO. 25-13991
As Modified by Transfer No. 69611

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 3 day of September, 2003

for 
Chief Water Allocation Bureau

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OCT 07 2003

WATER RIGHT NO. 25-13992

As Modified by Transfer No. 69611

In accordance with the approval of Transfer No. 69611, Water Right No. 25-13992 is now described as follows.

Right Holder: LOUIS SKAAR & SONS INC

421 N 3200 E

LEWISVILLE ID 83431

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>
COMMERCIAL	01/01	12/31	0.05 CFS	8.8 AF
			0.05 CFS	8.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 11 Twp 04N Rge 37E JEFFERSON
County

PLACE OF USE: COMMERCIAL

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	37E	11																	X

CONDITIONS OF APPROVAL

1. Rights 25-13990, 25-13991, 25-13992, 25-13993 and 25-13994 when combined shall not exceed a total diversion rate of 0.48 cfs.
2. Prior to the diversion and use of water under Transfer approval 69611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for a feedlot.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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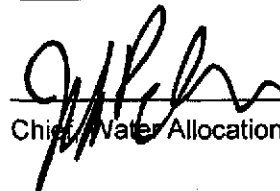
WATER RIGHT NO. 35-13992
As Modified by Transfer No. 69611

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 3 day of September, 2003


for Chief, Water Allocation Bureau

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OCT 07 2003

WATER RIGHT NO. 25-13993

As Modified by Transfer No. 69611

In accordance with the approval of Transfer No. 69611, Water Right No. 25-13993 is now described as follows.

Right Holder: LOUIS SKAAR & SONS INC
421 N 3200 E
LEWISVILLE ID 83431

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>
COMMERCIAL	01/01	to 12/31	0.39 CFS	55.5 AF
			0.39 CFS	55.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 11 Twp 04N Rge 37E JEFFERSON
County

PLACE OF USE: COMMERCIAL

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	37E	11																	X

CONDITIONS OF APPROVAL

1. Rights 25-13990, 25-13991, 25-13992, 25-13993 and 25-13994 when combined shall not exceed a total diversion rate of 0.48 cfs.
2. Prior to the diversion and use of water under Transfer approval 69611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for a feedlot.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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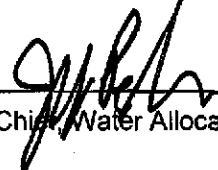
WATER RIGHT NO. 35-13993
As Modified by Transfer No. 69611

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 3 day of September, 2003


for Chief, Water Allocation Bureau

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OCT 07 2003

WATER RIGHT NO. 25-13994
As Modified by Transfer No. 69611

In accordance with the approval of Transfer No. 69611, Water Right No. 25-13994 is now described as follows.

Right Holder: LOUIS SKAAR & SONS INC
 421 N 3200 E
 LEWISVILLE ID 83431

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>
COMMERCIAL	01/01	to 12/31	0.20 CFS	29.3 AF
			0.20 CFS	29.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 11 Twp 04N Rge 37E JEFFERSON
 County

PLACE OF USE: COMMERCIAL

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	37E	11																	X

CONDITIONS OF APPROVAL

1. Rights 25-13990, 25-13991, 25-13992, 25-13993 and 25-13994 when combined shall not exceed a total diversion rate of 0.48 cfs.
2. Prior to the diversion and use of water under Transfer approval 69611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for a feedlot.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICHAEL

OCT 27 2003

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

Dated this 3 day of September, 2003

For Chief Water Allocation Bureau

MICHAEL ...

007 07 2004

MEMORANDUM

TO: FILE 25-1399 3

FROM: VAULT

RE: TRANSFER # 69611

DATE: 9.4.03

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-13398

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