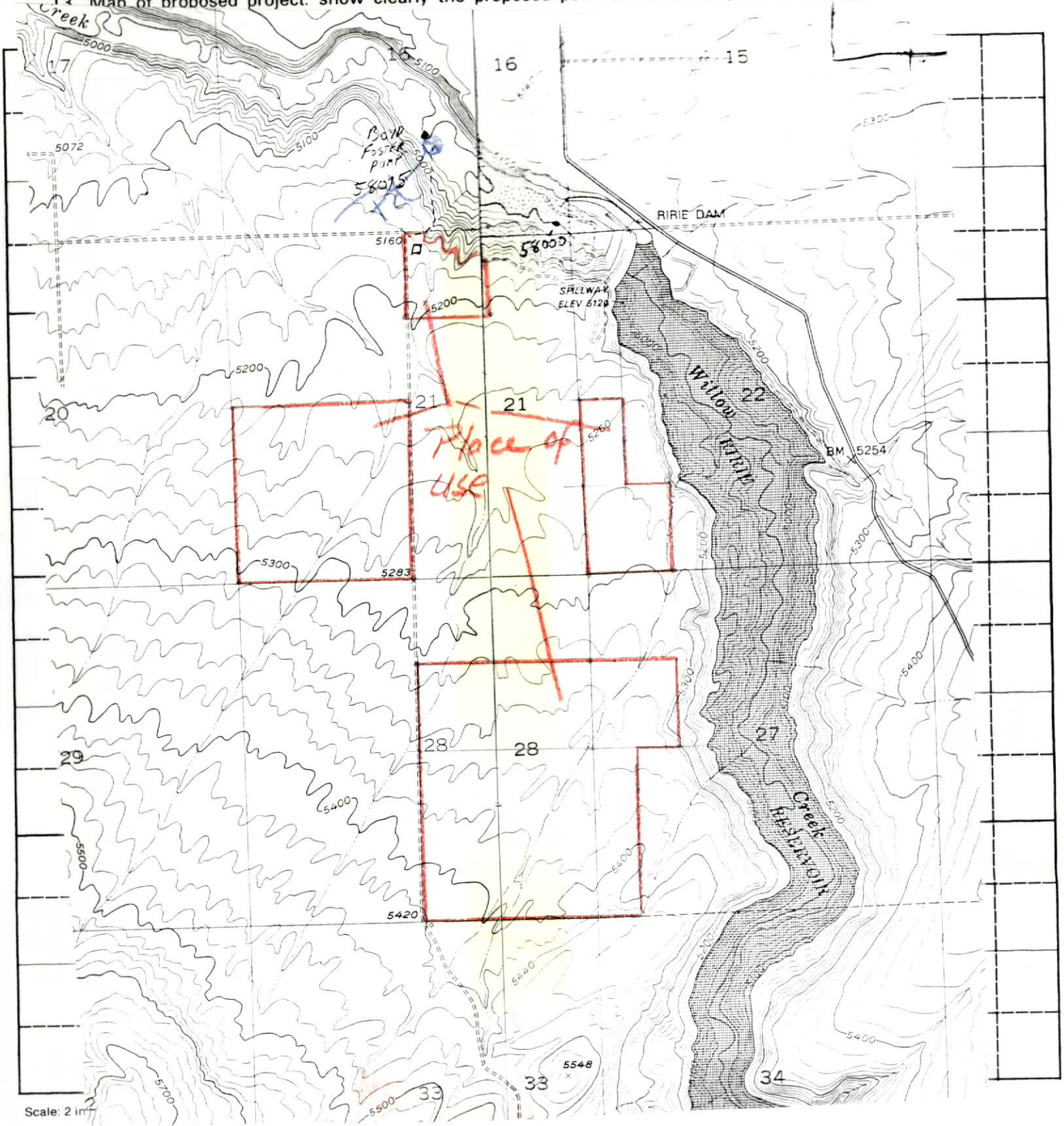


13 Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Foster Land Cattle
 (Applicant)

FOR OFFICE USE ONLY
Amt. of Fee \$: 275.00
Receipt No. C033188
Receipt By: JW
Date Received: 7-14-95

AUG 08 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07592

Proposed Priority: April 23, 1991 Maximum Diversion Rate: 7.90 CFS
This is to certify, that FOSTER LAND & CATTLE CO.

P.O. BOX 308
RIGBY ID 83442

has applied for a permit to appropriate water from:

WILLOW CREEK

tributary of SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	7.90 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SESE	Sec. 16, Township 03N, Range 40E
SWSE	Sec. 16, Township 03N, Range 40E
	BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	40E	21	NWNE 24	NESW 40	NWSW 40	
			SWSW 40	SESW 40		184
		22	NWSW 20	SWSW 40		60
		27	SWNW 40	NWSW 20	SWSW 20	80
		28	SWNE 40	SENE 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	240

Total number of acres irrigated: 564

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1995.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

SEP 27 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 25-07592

6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. Prior to diversion of water under this permit, the permit holder must obtain adequate supplemental water for the irrigation season when the natural flow is not available. Supplemental water may include leased storage water from the Upper Snake River Supply Bank but shall only be diverted when there is sufficient water available for release from Ririe Reservoir.
9. Diversion of water under this permit or diversion of supplemental water must not reduce flows of Willow Creek below 32 cfs from the point of diversion to the Johnson Road crossing of Willow Creek. Water diverted under this permit and any supplemental water acquired shall be subject to the control of the watermaster of State Water District 01, Snake River.
10. This permit, when combined with all other permits, rights and leased storage water, shall provide no more than 3.5 acre-feet per acre for the lands described under the permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

6th day of September, 19 91.

R. Keith Higginson
for R. Keith Higginson, Director

NOT RECORDED

SEP 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Brad Foster c/o Foster Land & Cattle Co. Phone 745-7745
Post office address P.O. Box 308, Rigby, ID 83442
2. Source of water supply Willow Creek which is a tributary of Snake River
3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 16 Township 3N Range 40E B.M. Bonneville County; additional
points of diversion if any: REDIVERSION from Willow Creek: T3N, R 40E, Sec 16, SESE
4. Water will be used for the following purposes:
Amount 7.90 for irrigation purposes from April 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 7.90 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. The limiting factor is the ability to
obtain storage water.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

APPROVED
SEP 27 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	40E	22										20	40						60
		27							40			20	20						80
		28			40	40									40	40	40	40	240
		21		24							40	40	40	40					184

Total number of acres to be irrigated 564

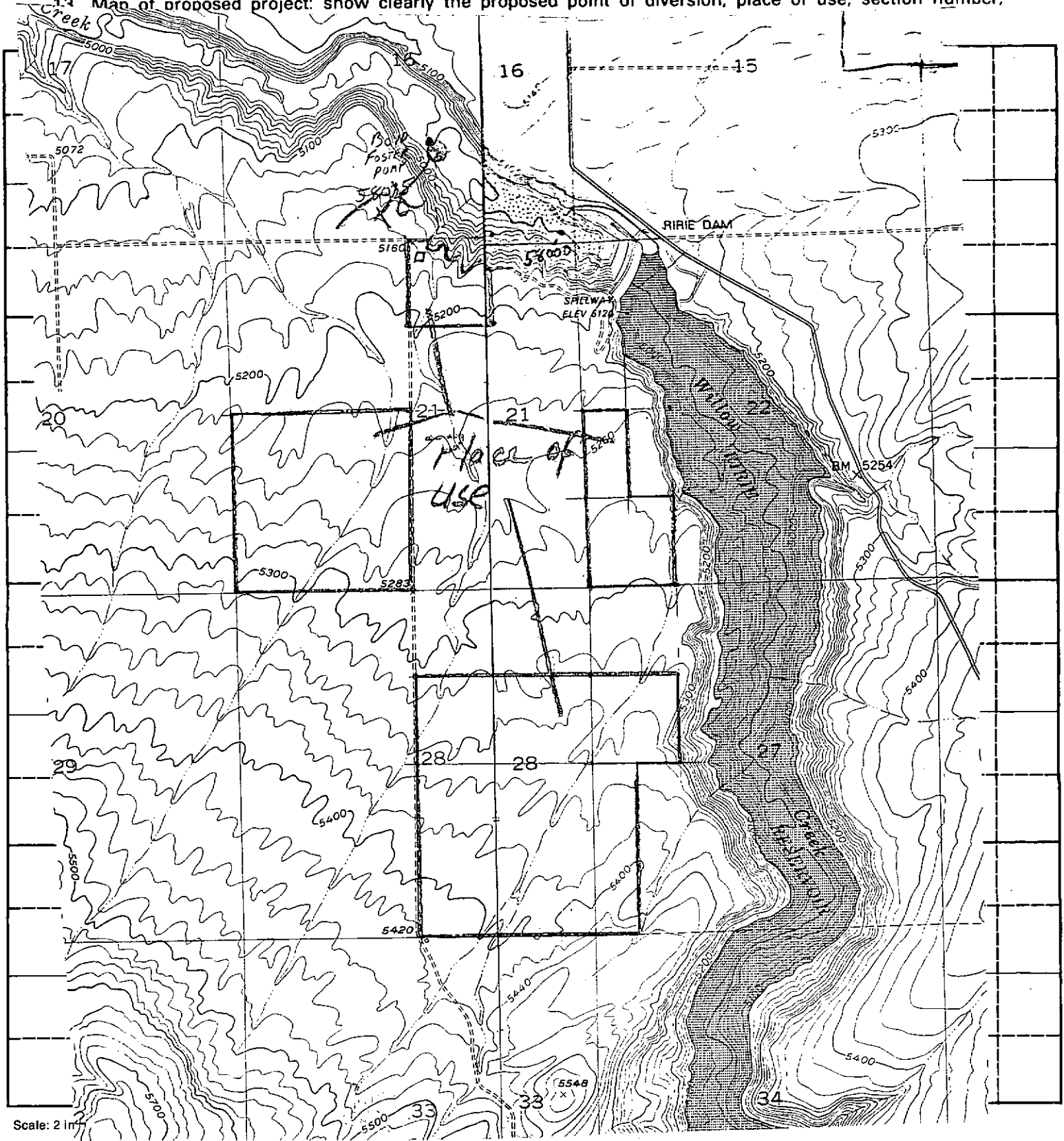
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Boyd Foster
- b. Who owns the land to be irrigated or place of use? Boyd Foster / Foster Land & Cattle Co.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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SEP 27 1991

12 Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. 47 1891

Foster Lusk Castle
(Applicant) *Paul Foster*

Received by DMS Date 23 April 90 Time 9:47 Preliminary check by _____
Fee \$ 185⁰⁰ Receipted by DMS # E015993 Date 23 April 91
Publication prepared by LB Date 5-2-91 Published in Post-Register
Publication approved LB Date 5-20-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

NOT FILMED

SEP 27 1991

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MAY 16 1991

Department of Water Resources
Eastern District Office

23-07149
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversión Pt: SWSWNW Sec 5 T 03N R
41E

Use: DOMESTIC (.050 CFS)
Total Diversión: (.050 CFS)
Date Filed: 4/2/1991
In: T03N R41E S05 SWNW

23-07150
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversión Pt: NWNW Sec 5 T 03N R 41E
Use: DOMESTIC (.020 CFS)
Total Diversión: (.020 CFS)
Date Filed: 4/2/1991
In: T03N R41E S05 NWNW

25-07589
WILLOW CREEK RESORT C/O GARRY
TOLBERT
12055 N. 45 E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversión Pt: NESW Sec 5 T 02N R 38E
Use: COMMERCIAL (.100 CFS)
Total Diversión: (.100 CFS)
Date Filed: 4/3/1991
In: T02N R38E S05 NESW

25-07590
WILLOW CREEK RESORT C/O GARRY
TOLBERT
12055 N. 45 E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversión Pt: SESW Sec 5 T 02N R 38E
Use: IRRIGATION (.620 CFS)
Total Diversión: (.620 CFS)
Date Filed: 4/3/1991
In: T02N R38E S05 NESW SESW NWSE
SWSE

31.0 ACRES TOTAL
25-07592
FOSTER LAND & CATTLE CO.
P.O. BOX 308
RIGBY, ID 83442
Source: WILLOW CREEK
Tributary: SNAKE RIVER
Diversión Pt: SWSE Sec 16 T 03N R 40E
SESE Sec 16 T 03N R 40E REDIVER-
SION FROM WILLOWCREEK
Use: IRRIGATION (7.900 CFS)
Total Diversión: (7.900 CFS)
Date Filed: 4/23/1991
In: T03N R40E S21 NWNE NESW
NWSW SWSW SESW
S22 NWSW SWSW
S27 SWNW NWSW SWSW
S28 SWNE SENE NESE NWSE SWSE
SESE

564.0 ACRES TOTAL
29-08061
ALLEN, BYRON K.
1361 E. DIXON RD.
MCCAMMON, ID 83250
Source: UNNAMED SPRING
Tributary: SINKS
Diversión Pt: SWNESE Sec 21 T 10S R
35E
Use: IRRIGATION (.500 CFS)
IRRIGATION STORAGE (1.50 AF)
IRRIGATION FROM STORAGE (1.50
AF)
Total Diversión: (.500 CFS)
Date Filed: 4/20/1990
In: T10S R35E S21 NESE
S22 NWSW

25.0 ACRES TOTAL
29-08062
ALLEN, BYRON K.
1361 E. DIXON RD.
MCCAMMON, ID 83250
Source: DEADWOOD CREEK
Tributary: YELLOWDOG CREEK
Diversión Pt: NWNWNW Sec 27 T 10S R
35E
Use: IRRIGATION (.200 CFS)
IRRIGATION STORAGE (1.50 AF)
IRRIGATION FROM STORAGE (1.50
AF)
Total Diversión: (.200 CFS)
Date Filed: 4/20/1990
In: T10S R35E S27 NENW NWNW

12.0 ACRES TOTAL
The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public inter-
est criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402
on or before MAY 20, 1991
R. Keith Higginson, Director
Published: May 2, 9, 1991

SEP 27 1991

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 25-7592 Reviewed by Jy Date 8-1-95

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

_____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
275 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-13-95

August 1, 1995

FOSTER LAND & CATTLE CO.
P.O. BOX 308
RIGBY ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07592

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208) 525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

AUG 08 1995

June 30, 1995

FOSTER LAND & CATTLE CO.
P.O. BOX 308
RIGBY ID 83442

PROOF DUE NOTICE

RE: PERMIT NO. 25-07592

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1995. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

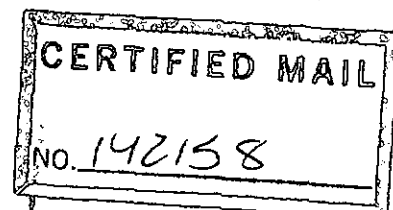
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED

AUG 08 1995



September 11, 1991

FOSTER LAND & CATTLE CO
PO BOX 308
RIGBY ID 83442

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07592

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Condition No. 8 on the permit requires you to obtain adequate supplemental water for the irrigation season when the natural flow of water is not available. Due to the conditions of your lease agreement, you are prohibited from using the leased storage water on lands other than those described under Permit Nos. 25-07592 and 25-07567.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm
Enclosure

cc: Michael D. Crapo

MODIFIED

SEP 27 1991

PERMIT PARAGRAPHS

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Be sure to note the special condition requiring you to install a lockable device that will enable the watermaster to control your diversion.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Also, because you are in an area where water is regulated, please be aware that water for this priority date will not always be available.

RECEIVED

CONTINUED - NEXT PAGE

SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: September 4, 1991

RE: APPLICATION NO. 25-7592/RULE 4,5,3. INFO & STORAGE WATER LEASE AGREEMENT

=====

In January of 1991, the applicants Brad and Boyd Foster secured a 20 year storage water lease agreement through the Idaho Water Resource Board. The rental agreement identified particular lands to which the water was to be used. The water right permit which was approved pursuant to the lease agreement did not include all of the land identified on the lease agreement (see permit no. 25-75667). The department notified the Fosters of this discrepancy and advised them to file a new application to cover the remaining lands. Application no. 25-7592 was made to cover the other lands not covered by permit no. 25-7567.

This application is essentially an appropriation of early season surface water runoff and storage water during the rest of the irrigation season. The filing really provides a more complete record for the storage water lease agreement and a means in which to account for the storage water use within Water District's 01 accounting program. Due to the nature of the filing and since the Foster's have submitted rule 4,5,3. information for permit 25-7567, I see no need to request any additional rule 4,5. information.

I recommend continued processing of the application and suggest using the same conditions as given for permit 25-7567.

Note: Upon comparing the place of use description of this application and permit no. 25-7567 with the water storage lease agreement, I have noticed that there are still several tracts of land identified in the agreement which are not covered by either filing. Any permit approval notice for 25-7592 should probably warn the permit holders that the leased storage water may only be used on those lands identified on permit no.s 25-7567 and 25-7592.

RECORDED
SEP 27 1991

APPLICATION FOR PERMIT REVIEW

Application #: 25-7592
Date: 6-24-91

Reviewer: Pam Skaggs *CS*

- ✓ Existing:
 - ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
- Groundwater:
 - GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
 - LT. 0.2 cfs - N/A
- Drilling Permit:
 - Approved w/permit - P99
 - Not included - 046-P23(All GW, even existing wells)
- ✓ Location:
 - ✓ Water Districts - WD No. 01
 - ✓ Surface water - 005, 005-01H-P01(LT.2 w/pump)
~~005-01J-P08~~ (GT.2) R19
Special Condition in remarks
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - 1 (1, Blank or Other)
 - Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr or Irr & Dom)
 - Non Trust - 048-049
- ✓ River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-P71
 - ✓ Snake (01, 02 & 03) - ~~11A-P04~~ (01), 061-P07(02/03 No W.D.Cond.)
Special Condition in remarks
- Use:
 - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
 - Power - Use Power Review
 - Mining - 06A or 010, 09E-P10 & 054(req.)
 - Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
 - Rec. & Aesthetic - 027(Non-Consumptive)
 - Domestic - 021(restricted areas)
- Ownership:
 - Non land owner - 004
- Protested:
 - Agreement - 020

SEP 27 1991

- ✓ Beneficial Use Due Date: - 07-03-1995
- Other Conditions Recommended 4, 5, 3 Data

*Special Conditions same as #25-7567
per T. Luke's memo 9-4-91*

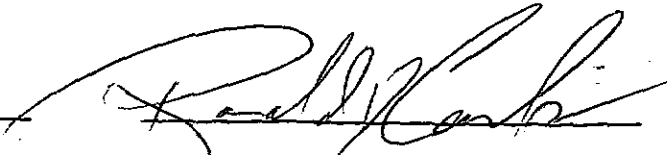
WATERMASTER COMMENTS

I have reviewed Application for Permit No. 25-7592 and
have the following comments/objections to the approval of this
application for permit:

The water supply for the described
lands will be storage acquired
from the rental pool

8/5/91

Date


RONALD D. CARLSON, WATERMASTER
Water District No. 01

RECEIVED
SEP 27 1991

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AMS DATE 23 April 91 APPLICATION NUMBER 25-7592
Brad Foster
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☐ Address
- ☐ Source (See USGS Quad for names of water sources)
- ☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☐ County
- ☐ Quantity (flow and/or volume)
- ☐ Period of Use
- ☐ Nature of proposed use (Include description of use.)
- ☐ Description of diverting works
- ☐ Time required for beneficial use of water
- ☐ Place of use or acres irrigated
- ☐ Map
- ☐ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☐ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.) 25-7494B
- ☒ Overlapping point of diversion 25-07567 & 25-7494B
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested _____

PROCESSING ☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District 01 (after the fact)
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5-20-91
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☒ Yes ☐ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 4-23-91
By HWS Date 6-6-91

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Conditions; 01J, 05 (WDAI Snake River)

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

25-Apr-1991

BRAD FOSTER
P.O. BOX 308
RIGBY ID 83442

RE: Application No. 25-7592 & 25-7494B

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Post-Register on May 2 & 9, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

SEP 27 1991

25-07592

FOSTER LAND & CATTLE CO.
P.O. BOX 308
RIGBY, ID 83442

Source: WILLOW CREEK

Tributary: SNAKE RIVER

Diversion Pt: SWSE Sec 16 T 03N R 40E
 SESE Sec 16 T 03N R 40E, REDIVERSION FROM WILLOWCREEK

Use: IRRIGATION (7.900 CFS)
 Total Diversion: (7.900 CFS)

Date Filed: 4/23/ 1991

In: T03N R40E S21	NWNE	NESW	NWSW	SWSW
	SESW			
S22	NWSW	SWSW		
S27	SWNW	NWSW	SWSW	
S28	SWNE	SENE	NESE	NWSE
	SWSE	SESE		

564.0 ACRES TOTAL

RECORDED

SEP 27 1991