

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Brad and Sharol Foster Phone _____
Mailing address PO Box 40, Ririe, ID 83443 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Luke H. Marchant Phone (208) 944-9310
Mailing address PO Box 536, Rupert, ID 83350 Email luke@minicassialaw.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Luke H. Marchant, Attorney
Print Name and Title if applicable

February 29, 2024
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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. Is this a transfer for changes pursuant to [Idaho Code §42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.

This application will adjust the current authorized place of use to accurately reflect what has been irrigated
and future plans for changes to one pivot.

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APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Water is diverted through five wells. There will be no changes to the current authorized points of diversion.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Bank of Commerce, c/o Western AgCredit has a security interest on the water rights that is in the process of being released.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

It will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-2244	4 cfs/840 AFA	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-2358	5 cfs/1000 AFA	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13682	3.51 cfs/879.2 AFA	Irrigation	04/01 to 10/30	Ground Water
☒ ☐	35-13683	3.43 cfs/860.8 AFA	Irrigation	04/01 to 10/30	Ground Water
☒ ☐	35-13684	0.3 cfs/80.8 AFA	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13685	0.29 cfs/79.2 AFA	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13687	0.75 cfs/189.6 AFA	Irrigation	04/01 to 10/30	Ground Water
☒ ☐	35-13689	0.27 cfs/54.4 AFA	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13774	1.93 cfs/385.6 AFA	Irrigation	04/01 to 10/31	Ground Water

Total authorized under rights 25.07 cfs and/or 6854.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.82 cubic feet per second and/or 224.8 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	01			0.3	26.2					20.9	37.7	38	31.6	36.1	1.4	3.2	2.8	198.2
		02			31	8.2				14	31			7.4	28.9	40	38.6	28.5	227.6
		11	33.2	33.7	40	40									39	38.9	35.3	32.6	292.7
		12	33.8	23.8	36.8	33.8	38.1	32.5	38.6	37.2	38.2	38.6	32.6	33.7	33.9	36.8	32	32.6	553
01S	34E	06							22.2		32.2	32.3	2.7	39.2		31.4	11.2	32.4	203.6
		07	34.5	21.4	30.8		25	31.4	34			33	28.3						238.4
Total Acres (for irrigation use)																			1713.5

Supplemental Page for Description of Rights after Transfer**

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

IDAHO DEPARTMENT OF WATER RESOURCES

5/2/2024

Proof Report

Water Right 35-2244

Owner TypeCurrent Owner
Current OwnerNameBRAD FOSTER
SHAROL FOSTERPriority Date: 9/5/1952Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

4.000 CFS

Volume

840.0 AF

Total Diversion

4.000 CFS

840.0 AF

Source and Point(s) of Diversion:GROUND WATER
GROUND WATER
GROUND WATER
GROUND WATER
GROUND WATERL3(SESENW)
NENE
NWNENW
SESE
NWNWNWSec. 2, Twp 01S, Rge 33E, BINGHAM County
Sec. 11, Twp 01S, Rge 33E, BINGHAM County
Sec. 12, Twp 01S, Rge 33E, BINGHAM County
Sec. 6, Twp 01S, Rge 34E, BINGHAM County
Sec. 7, Twp 01S, Rge 34E, BINGHAM CountyPlace Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 210.00
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 210.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall

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Proof Report

- not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
 4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 5. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-2358

Owner TypeCurrent Owner
Current OwnerNameBRAD FOSTER
SHAROL FOSTERPriority Date: 12/10/1953Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

5.000 CFS

Volume

1,000.0 AF

Total Diversion

5.000 CFS

1,000.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)
GROUND WATER	NENE
GROUND WATER	NWNENW
GROUND WATER	SESE
GROUND WATER	NWNWNW

Sec. 2, Twp 01S, Rge 33E, BINGHAM County
Sec. 11, Twp 01S, Rge 33E, BINGHAM County
Sec. 12, Twp 01S, Rge 33E, BINGHAM County
Sec. 6, Twp 01S, Rge 34E, BINGHAM County
Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 250.00
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 250.0 acres within the authorized place of use described above in a single irrigation season.
2. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a

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- total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
 4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 5. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Proof Report

Water Right 35-13682

Owner Type

Current Owner

Current Owner

Priority Date: 4/3/1967Basis: DecreedStatus: ActiveSource

GROUND WATER

Name

BRAD FOSTER

SHAROL FOSTER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/30

Diversion Rate

3.510 CFS

Volume

879.2 AF

Total Diversion

3.510 CFS

879.2 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 219.80
POU Total Acres: 1,713.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 219.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13682 and 35-13684 when combined shall not exceed a total diversion rate of 3.51 cfs, a total annual maximum diversion volume of 960.0 af at the field headgate, and the irrigation of 240.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water

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- District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
 10. K01 Right No. 35-13684 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
 11. 004 This right does not grant any right-of-way or easement across the land of another.
 12. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13683

Owner Type

Current Owner

Current Owner

Name

BRAD FOSTER

SHAROL FOSTER

Priority Date: 4/3/1967Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/30

Diversion Rate

3.430 CFS

Volume

860.8 AF

Total Diversion

3.430 CFS

860.8 AF

Source and Point(s) of Diversion:

GROUND WATER L3(SESENW)

Sec. 2, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NENE

Sec. 11, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NWNENW

Sec. 12, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER SESE

Sec. 6, Twp 01S, Rge 34E, BINGHAM County

GROUND WATER NWNWNW

Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 215.20
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 215.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13683 and 35-13685 when combined shall not exceed a total diversion rate of 3.43 cfs, a total annual maximum diversion volume of 940.0 af at the field headgate, and the irrigation of 235.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water

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- district. At the time of this approval, this water right is within State Water District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
 10. K01 Right No. 35-13685 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
 11. 004 This right does not grant any right-of-way or easement across the land of another.
 12. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13684

Owner Type

Current Owner

Current Owner

Priority Date: 4/1/1971**Basis:** Decreed**Status:** Active**Source**

GROUND WATER

Name

BRAD FOSTER

SHAROL FOSTER

Tributary**Beneficial Use**

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.300 CFS

Volume

80.8 AF

Total Diversion

0.300 CFS

80.8 AF

Source and Point(s) of Diversion:

GROUND WATER L3(SESENW)

Sec. 2, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NENE

Sec. 11, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NWNENW

Sec. 12, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER SESE

Sec. 6, Twp 01S, Rge 34E, BINGHAM County

GROUND WATER NWNWNW

Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 20.20
POU Total Acres: 1,713.5**Conditions of Approval:**

1. K09 This right is for an enlargement of 20.2 acres within the place of use described for this right.
2. X35 Rights 35-13682 and 35-13684 when combined shall not exceed a total diversion rate of 3.51 cfs, a total annual maximum diversion volume of 960.0 af at the field headgate, and the irrigation of 240.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water

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- District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. K02 This right is based upon an enlargement of Right No. 35-13682 pursuant to Section 42-1426, Idaho Code.
10. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Swan Falls Trust or Nontrust: T

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13685

Owner TypeCurrent Owner
Current OwnerNameBRAD FOSTER
SHAROL FOSTERPriority Date: 4/1/1971Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.290 CFS

Volume

79.2 AF

Total Diversion

0.290 CFS

79.2 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW.	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 19.80
OU Total Acres: 1,713.5Conditions of Approval:

1. K09 This right is for an enlargement of 19.8 acres within the place of use described for this right.
2. X35 Rights 35-13683 and 35-13685 when combined shall not exceed a total diversion rate of 3.43 cfs, a total annual maximum diversion volume of 940.0 af at the field headgate, and the irrigation of 235.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water

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- district. At the time of this approval, this water right is within State Water District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. K02 This right is based upon an enlargement of Right No. 35-13683 pursuant to Section 42-1426, Idaho Code.
 10. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
 11. 004 This right does not grant any right-of-way or easement across the land of another.
 12. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Swan Falls Trust or Nontrust: T

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
25.070	6,854.0	1,713.5

Water Rights

35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13687

Owner Type
Current Owner
Current Owner

Name
BRAD FOSTER
SHAROL FOSTER

Priority Date: 6/14/1965
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/30	0.750 CFS	189.6 AF
	Total Diversion		0.750 CFS	189.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 47.40
POU Total Acres: 1,713.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 47.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13687 and 35-13689 when combined shall not exceed a total diversion rate of 0.75 cfs, a total annual maximum diversion volume of 244.0 af at the field headgate, and the irrigation of 61.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.

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4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:**Rate**

25.070

Volume

6,854.0

Acres

1,713.5

Water Rights

35-2244 ,35-2358 ,35-
 13682 ,35-13683 ,35-
 13684 ,35-13685 ,35-
 13687 ,35-13689 ,35-
 13774 ,35-13775 ,35-
 13776 ,35-13777 ,35-
 13822 ,35-13953

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Water Right 35-13689

Owner Type

Current Owner

Current Owner

Priority Date: 3/6/1953**Basis:** Decreed**Status:** Active**Name**

BRAD FOSTER

SHAROL FOSTER

Source

GROUND WATER

Tributary**Beneficial Use**

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.270 CFS

Volume

54.4 AF

Total Diversion

0.270 CFS

54.4 AF

Source and Point(s) of Diversion:

GROUND WATER L3(SESENW)

Sec. 2, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NENE

Sec. 11, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER NWNENW

Sec. 12, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER SESE

Sec. 6, Twp 01S, Rge 34E, BINGHAM County

GROUND WATER NWNWNW

Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 13.60
POU Total Acres: 1,713.5**Conditions of Approval:**

1. X27 This right is limited to the irrigation of 13.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13687 and 35-13689 when combined shall not exceed a total diversion rate of 0.75 cfs, a total annual maximum diversion volume of 244.0 af at the field headgate, and the irrigation of 61.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with

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- 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.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
 10. 004 This right does not grant any right-of-way or easement across the land of another.
 11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 120
 Generic Max Rate Per Acre: 0.020
 Generic Max Volume Per Acre: 4.0
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13774

Owner Type

Current Owner

Current Owner

Name

BRAD FOSTER

SHAROL FOSTER

Priority Date: 3/6/1953Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.930 CFS

Volume

385.6 AF

Total Diversion

1.930 CFS

385.6 AF

Source and Point(s) of Diversion:

GROUND WATER

L3(SESENW)

Sec. 2, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

NENE

Sec. 11, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

NWNENW

Sec. 12, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

SESE

Sec. 6, Twp 01S, Rge 34E, BINGHAM County

GROUND WATER

NWNWNW

Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 96.40
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 96.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13774 and 35-13776 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1732.0 af at the field headgate, and the irrigation of 433.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-

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- 13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
 5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 004 This right does not grant any right-of-way or easement across the land of another.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:**Rate**

25.070

Volume

6,854.0

Acres

1,713.5

Water Rights

35-2244 ,35-2358 ,35-
 13682 ,35-13683 ,35-
 13684 ,35-13685 ,35-
 13687 ,35-13689 ,35-
 13774 ,35-13775 ,35-
 13776 ,35-13777 ,35-
 13822 ,35-13953

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Water Right 35-13775

Owner Type

Current Owner

Current Owner

Name

BRAD FOSTER

SHAROL FOSTER

Priority Date: 3/6/1953Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.320 CFS

Volume

64.0 AF

Total Diversion

0.320 CFS

64.0 AF

Source and Point(s) of Diversion:

GROUND WATER

L3(SESENW)

Sec. 2, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

NENE

Sec. 11, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

NWNENW

Sec. 12, Twp 01S, Rge 33E, BINGHAM County

GROUND WATER

SESE

Sec. 6, Twp 01S, Rge 34E, BINGHAM County

GROUND WATER

NWNWNW

Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 16.00
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 16.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13775 and 35-13777 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 284.0 af at the field headgate, and the irrigation of 71.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-

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- 13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
 5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 004 This right does not grant any right-of-way or easement across the land of another.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13776

Owner Type
Current Owner
Current Owner
Priority Date: 6/14/1965
Basis: Decreed
Status: Active

Name
BRAD FOSTER
SHAROL FOSTER

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/30	5.330 CFS	1,346.4 AF
	Total Diversion		5.330 CFS	1,346.4 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 336.60
POU Total Acres: 1,713.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 336.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13774 and 35-13776 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1732.0 af at the field headgate, and the irrigation of 433.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with

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- 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.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
 10. 004 This right does not grant any right-of-way or easement across the land of another.
 11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
25.070	6,854.0	1,713.5	35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Water Right 35-13777

Owner TypeCurrent Owner
Current OwnerNameBRAD FOSTER
SHAROL FOSTERPriority Date: 6/14/1965Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/30

Diversion Rate

0.870 CFS

Volume

220.0 AF

Total Diversion

0.870 CFS

220.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 55.00
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 55.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13775 and 35-13777 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 284.0 af at the field headgate, and the irrigation of 71.0 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.

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4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 2/25/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
25.070	6,854.0	1,713.5

Water Rights

35-2244 ,35-2358 ,35-
 13682 ,35-13683 ,35-
 13684 ,35-13685 ,35-
 13687 ,35-13689 ,35-
 13774 ,35-13775 ,35-
 13776 ,35-13777 ,35-
 13822 ,35-13953

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Water Right 35-13822

Owner Type
Current Owner
Current Owner

Name
BRAD FOSTER
SHAROL FOSTER

Priority Date: 5/1/1980
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	1.890 CFS	773.6 AF
	Total Diversion		1.890 CFS	773.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 193.40
POU Total Acres: 1,713.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 193.4 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-13953 and 35-13822 when combined shall not exceed a total annual maximum diversion volume of 854.0 af at the field headgate, and the irrigation of 213.5 acres.
3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-

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- 13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
 5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. C06 Priority date changed to prevent injury from change in use.
 10. 004 This right does not grant any right-of-way or easement across the land of another.
 11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 1/31/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:**Rate**

25.070

Volume

6,854.0

Acres

1,713.5

Water Rights

35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

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Proof Report

Water Right 35-13953

Owner TypeCurrent Owner
Current OwnerNameBRAD FOSTER
SHAROL FOSTERPriority Date: 5/6/1957Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

11/01

Diversion Rate

0.290 CFS

Volume

80.4 AF

Total Diversion

0.290 CFS

80.4 AF

Source and Point(s) of Diversion:

GROUND WATER	L3(SESENW)	Sec. 2, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NENE	Sec. 11, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	NWNENW	Sec. 12, Twp 01S, Rge 33E, BINGHAM County
GROUND WATER	SESE	Sec. 6, Twp 01S, Rge 34E, BINGHAM County
GROUND WATER	NWNWNW	Sec. 7, Twp 01S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	1			0.3 L2	26.2 L1					20.9	37.3	38.0	31.6	36.1	1.4	3.3	2.8	197.9
01S	33E	2			31.2 L2	8.2 L1				14.5 L3	31.3			6.4	29.4	40.0	38.6	28.5	228.1
01S	33E	11	38.3	33.7	40.0	40.0									39.0	38.9	35.3	40.0	305.2
01S	33E	12	33.8	23.8	36.8	33.8	38.1	37.5	38.6	37.2	38.2	38.6	40.0	33.7	33.9	36.8	32.0	32.6	565.4
01S	34E	6							22.2 L4		38.2	32.0 L5	2.3 L6	38.7			12.5	32.4	178.3
01S	34E	7	34.5	21.4	30.8		25.2	31.4 L1	34.0 L2			33.0 L3	28.3 L4						238.6

Right Acre Limit: 20.10
POU Total Acres: 1,713.5Conditions of Approval:

1. X27 This right is limited to the irrigation of 20.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13953 and 35-13822 when combined shall not exceed a total annual maximum diversion volume of 584.0 af at the field headgate, and the irrigation of 213.5 acres.

IDAHO DEPARTMENT OF WATER RESOURCES

5/2/2024

Proof Report

3. X35 Rights 35-2244, 35-2358, 35-13682, 35-13683, 35-13684, 35-13685, 35-13687, 35-13689, 35-13774, 35-13775, 35-13776, 35-13777, 35-13822 and 35-13953 when combined shall not exceed a total diversion rate of 25.07 cfs, a total annual maximum diversion volume of 6854.0 af at the field headgate, and the irrigation of 1713.5 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 81206, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 1/31/2002

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
25.070	6,854.0	1,713.5

Water Rights

35-2244 ,35-2358 ,35-13682 ,35-13683 ,35-13684 ,35-13685 ,35-13687 ,35-13689 ,35-13774 ,35-13775 ,35-13776 ,35-13777 ,35-13822 ,35-13953

[illegible]

TOTAL	1713.5
--------------	---------------

PLACE OF USE DESCRIPTION <u>BEFORE</u> PROPOSED CHANGES	
1	1
2	2
3	3
4	4
5	5
6	6
7	7
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97	97
98	98
99	99
100	100

TOTAL	1713.5
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CHANGE IN ACRES	
1990-1991	100
1991-1992	100
1992-1993	100
1993-1994	100
1994-1995	100
1995-1996	100
1996-1997	100
1997-1998	100
1998-1999	100
1999-2000	100
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2013-2014	100
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2110-2111	100
2111-2112	100
2112-2113	100
2113-2114	100
2114-2115	100
2115-2116	100
2116-2117	100
2117-2118	100
2118-2119	100
2119-2120	100
2120-2121	100

TOTAL	0.0
--------------	------------

**Used for calculating
filing fee**

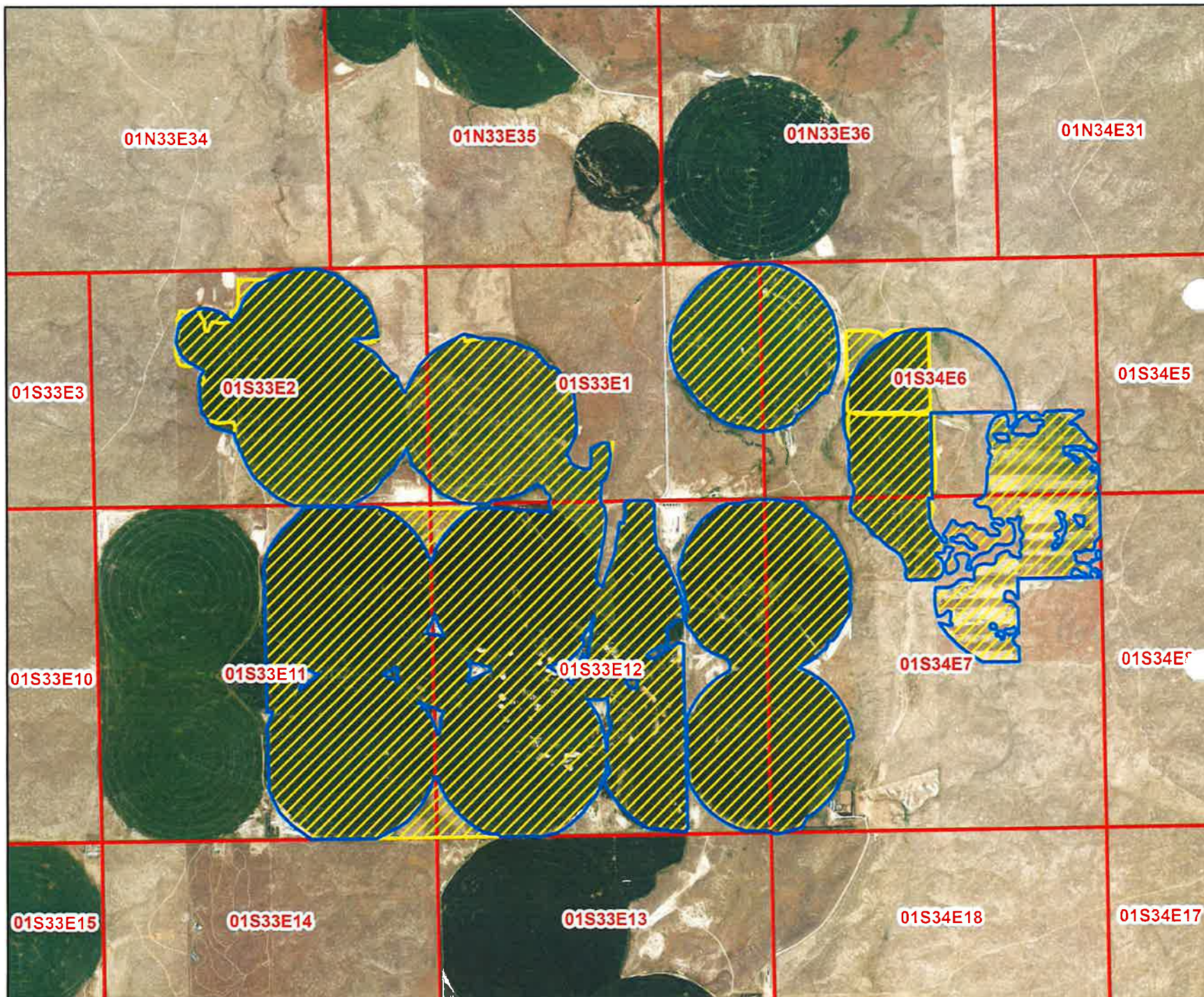
8815

FOSTER APPLICATION FOR TRANSFER



Legend

- Current POU
- Proposed POU
- Section Lines



2023 NAIP Photo

Darrington
LAW

Prepared by:
Luke H. Marchant
02/28/2020

91888



0005376547

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005376547

Date Filed: 8/31/2023 1:43:03 PM

Entity Name and Mailing Address:

Entity Name: Greenfield Farms, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0004774082
Address: PO BOX 40
RIRIE, ID 83443-0040

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: Michelle Chapple
Registered Agent
Physical Address
4460 EAST 328 NORTH
RIGBY, ID 83442
Mailing Address
PO BOX 40
RIRIE, ID 83443-0040

Limited Liability Company Managers and Members

Name	Title	Business Address
☒ Brad Foster	Manager	PO BOX 40 RIRIE, ID 83443
☒ Sharol Foster	Member	PO BOX 40 RIRIE, ID 83443
☒ Michelle Chapple	Manager	PO BOX 40 RIRIE, ID 83443
☒ Erica Dansie	Manager	PO BOX 40 RIRIE, ID 83443

The annual report must be signed by an authorized signer of the entity.

Job Title: Authorized Person

Peter D. Christofferson

Sign Here

08/31/2023

Date

Attorney Roster Search

Type the last name or the beginning of the last name of the attorney you are trying to find. Use more letters to narrow your search. If you cannot find the attorney you are looking for, contact the Licensing Department at (208) 334-4500.

Current Status Definitions (<https://isb.idaho.gov/licensing-mcle/membership-count-statutes/>)

Search again

Results (as of 2/22/24)

Luke Hyrum Marchant

Status Active
Admittance Date 09/30/2008

Firm Darrington Law, PLLC
Mailing Address 601 7th Street
Rupert, ID 83350

Phone (208) 944-9310
Phone Ext
Fax

Bar Email Address luke@minicassialaw.com
Website Address www.minicassialaw.com
Court eService Email luke@minicassialaw.com

Need a correction?

Is something not correct? Please use the [Address Change Form](#)

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online [Address Change Form](#) or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

[Current Status Definitions](#)

Disciplinary History

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary history on an attorney.

Former Members

Information on former members of the Idaho State Bar is limited to name, admission date and status. The online records include former members going back to approximately 1994. Records on former members from before 1994 are not available online. Please contact the Licensing Department for more information on former members.

From: Lovell, Garn A. <LovellG@westernagcredit.com>
Sent: Wednesday, February 28, 2024 1:28 PM
To: luke@minicassialaw.com
Subject: RE: Foster Water Right Release

I reviewed this list of water rights with our appraisal department. We are releasing tract B and will include the water releases as part of that transaction.

From: luke@minicassialaw.com <luke@minicassialaw.com>
Sent: Wednesday, February 28, 2024 1:01 PM
To: Lovell, Garn A. <LovellG@westernagcredit.com>
Subject: Foster Water Right Release

[EXTERNAL EMAIL]

Garn,

Attached is the water right sheet that I discussed with you this morning. If you have any questions, do not hesitate to contact me.

Thank you!

Luke H. Marchant
Darrington Law, PLLC
601 7th St.
P.O. Box 536
Rupert, ID 83350
Phone: (208) 944-9310
Email: luke@minicassialaw.com



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Water Rights in Security Interest	
35-13547	Appurtenant to Tracts A & C
35-13549	
35-13551	
35-13954	
35-14270	
35-14271	
35-2244	Appurtenant to Tracts B & D (can be released)
35-2358	
35-13682	
35-13683	
35-13684	
35-13685	
35-13687	
35-13689	
35-13774	
35-13775	
35-13776	
35-13777	
35-13822	
35-13953	

MEMORANDUM

Date: March 6, 2024
To: Transfer 88815
From: Jake Nebeker
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.