

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Foster Company

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b 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).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Foster Company Phone 208-538-5170
Mailing address PO Box 626, Ririe, ID 83443 Email vistavalleyag@gmail.com

- ☐ 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**.

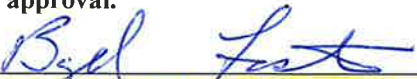
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ 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.

 Boyd Foster 5/4/24
Signature of Applicant or Authorized Representative Print Name and Title if applicable 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 §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.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 **Part 1A.3**.
This transfer will create a 550-acre combined place of use for six ground water rights that are tied together in a large combined irrigation system. Mainlines connect all pivots. The transfer will also add all four existing wells on the system to all water rights and update point of diversion descriptions to the 40-acre tract.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 06 2024

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

DEPT. OF WATER RESOURCES
EASTERN REGION

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.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	25-2105A	2.44/960	Irrigation	4/1 to 10/31	Ground Water
☒ ☐	25-2105B	0.36/122.5	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	25-2116A	1.99/595	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	25-2124A	1.62/688	Irrigation	4/1 to 10/31	Ground Water
☒ ☐	25-2124B	0.24/105.4	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	25-14123	2.52/1,072	Irrigation	4/1 to 11/1	Ground Water
☒ ☐				to	
☒ ☐				to	
☐ ☐				to	

Total authorized under rights 9.17 cfs and/or 2,045 acre-feet.

2. Total amount of water proposed to be transferred or changed 9.17 cubic feet per second and/or 2,045 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 #
N			SE	NW	11	03N	40E	Bonneville	Ground Water	
N			SE	NW	11	03N	40E	Bonneville	Ground Water	
N			SW	NE	11	03N	40E	Bonneville	Ground Water	
N			SW	NW	12	03N	40E	Bonneville	Ground Water	

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	
03N	40E	11	23	30	40	40	32			37	25			28	40	40	40	40	415
		12						19	39			39	30	8					135
Total Acres (for irrigation use)																			550

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:
Four ground water wells supply water to a single, interconnected irrigation system. Area was just incorporated into Water District 120. Flow meters will be installed by 2026, consistent with the order from IDWR.
- 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: N/A
- 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:
Irrigated acres will continue to be irrigated. We are simply combining the water rights to reflect the interconnected irrigation system.
- 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:
None. These are all the water rights on this system.
- 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:

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: N/A

- Right Number: _____
1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ tract.)

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$1220.00 (33.95 total) Date 5/6/24 Received by CTH Receipt # E050042

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2024

Water Right 25-2105A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER CO PO BOX 626 RIRIE, ID 83443-0626

Priority Date: 5/29/1950
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.440 CFS	960.0 AF
	<u>Total Diversion</u>		2.440 CFS	960.0 AF

Source and Point(s) of Diversion:

GROUND WATER	SENW	Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	SENW	Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Place of Use:

IRRIGATION within BONNEVILLE 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	
03N	40E	11								32.0	24.0			29.0	39.0	39.0	39.0	38.0	240.0

POU Total Acres: 240.0

Conditions of Approval:

- E55 Use of this right with Right No. 25-2124A is limited to the irrigation of a combined total of 240 acres in a single irrigation season.
- E53 Use of this right with Right No. 25-2124A is limited to a total combined annual diversion volume of 960 AF.
- C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- F05 Right No. 25-2124A is also diverted through points of diversion described above.
- C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

4/19/2024

Proof Report

Water Right 25-2105B

Owner Type **Name and Address**
 Current Owner FOSTER CO
 PO BOX 626
 RIRIE, ID 83443-0626

Priority Date: 5/29/1950**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.360 CFS	122.5 AF
	<u>Total Diversion</u>		0.360 CFS	122.5 AF

Source and Point(s) of Diversion:

GROUND WATER	NWSWNW	Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER	NESWNE	Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Place of Use:

IRRIGATION within BONNEVILLE 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	
03N	40E	11	27.0	31.0	40.0	40.0	33.0												171.0
03N	40E	12						22.0	40.0			40.0	31.0	6.0					139.0

Right Acre Limit: 35.00
 POU Total Acres: 310.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
3. E54 Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
4. E55 Use of this right with right no. 25-2124B is limited to the irrigation of a combined total of 35 acres in a single irrigation season.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. E53 Use of the rights listed below is limited to a total combined annual diversion volume of 122.5 af. Combined Right Nos.: 25-2105B, and 25-2124B.

4/19/2024

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER CO PO BOX 626 RIRIE, ID 83443-0626

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.990 CFS	595.0 AF
	Total Diversion		1.990 CFS	595.0 AF

Source and Point(s) of Diversion:

GROUND WATER	NWSWNW
GROUND WATER	NESWNE

Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Place of Use:

Place of Use:
IRRIGATION within BONNEVILLE County

IRRIGATION within BONNEVILLE County																				
			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
03N	40E	11	27.0	31.0	40.0	40.0	33.0												171.0	
03N	40E	12						22.0	40.0				40.0	31.0	6.0				139.0	
																			Right Acre Limit: 170.00	

Right Acre Limit: 170.00
POU Total Acres: 310.0

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | E55 | Use of the rights listed below is limited to the irrigation of a combined total of 275 acres in a single irrigation season. Combined Right Nos.: 25-2116A, and 25-14123. |
| 2. | E53 | Use of the rights listed below is limited to a total combined annual diversion volume of 962.5 af. Combined Right Nos.: 25-2116A, and 25-14123. |
| 3. | E54 | Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123. |
| 4. | E56 | Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123. |
| 5. | X27 | This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season. |

IDAHO DEPARTMENT OF WATER RESOURCES

4/19/2024

Proof Report

6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C18 This partial decree is subject to such general provisions necessary for the
definition of the rights or for the efficient administration of the water rights as
may be ultimately determined by the Court at a point in time no later than the
entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2024

Water Right 25-2124A

Owner Type **Name and Address**
Current Owner FOSTER CO
 PO BOX 626
 RIRIE, ID 83443-0626

Priority Date: 9/6/1956
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.620 CFS	688.0 AF
	Total Diversion		1.620 CFS	688.0 AF

Source and Point(s) of Diversion:
GROUND WATER SENW Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County
GROUND WATER SENW Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Place of Use:
IRRIGATION within BONNEVILLE 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	
03N	40E	11								32.0	24.0			29.0	39.0	39.0	39.0	38.0	240.0

POU Total Acres: 240.0

Conditions of Approval:

1. E53 Use of this right with Right No. 25-2105A is limited to a total combined annual diversion volume of 960 AF.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. F05 Right No. 25-2105A is also diverted through points of diversion described above.
4. E55 Use of this right with Right No. 25-2105A is limited to the irrigation of a combined total of 240 acres in a single irrigation season.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

4/19/2024

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER CO PO BOX 626 RIRIE, ID 83443-0626

Status: Active

Tributary

105.4 AF

Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

Right Acre Limit: 35.00
POU Total Acres: 310.0

1.	E56	Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
2.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4.	E54	Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2024

5. E55 Use of this right with right no. 25-2124B is limited to the irrigation of a combined total of 35 acres in a single irrigation season.
6. E53 Use of the rights listed below is limited to a total combined annual diversion volume of 122.5 af. Combined Right Nos.: 25-2105B, and 25-2124B.

4/19/2024

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER CO PO BOX 626 RIRIE, ID 83443-0626

Status: Active

Tributary

Volume
1,072.0 AF
1,072.0 AF

Sec. 12, Twp 03N, Rge 40E, BONNEVILLE County
Sec. 11, Twp 03N, Rge 40E, BONNEVILLE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	40E	11	27.0	31.0	40.0	40.0	33.0												171.0
03N	40E	12						22.0	40.0			40.0	31.0	6.0					139.0

Right Acre Limit: 275.00
POU Total Acres: 310.0

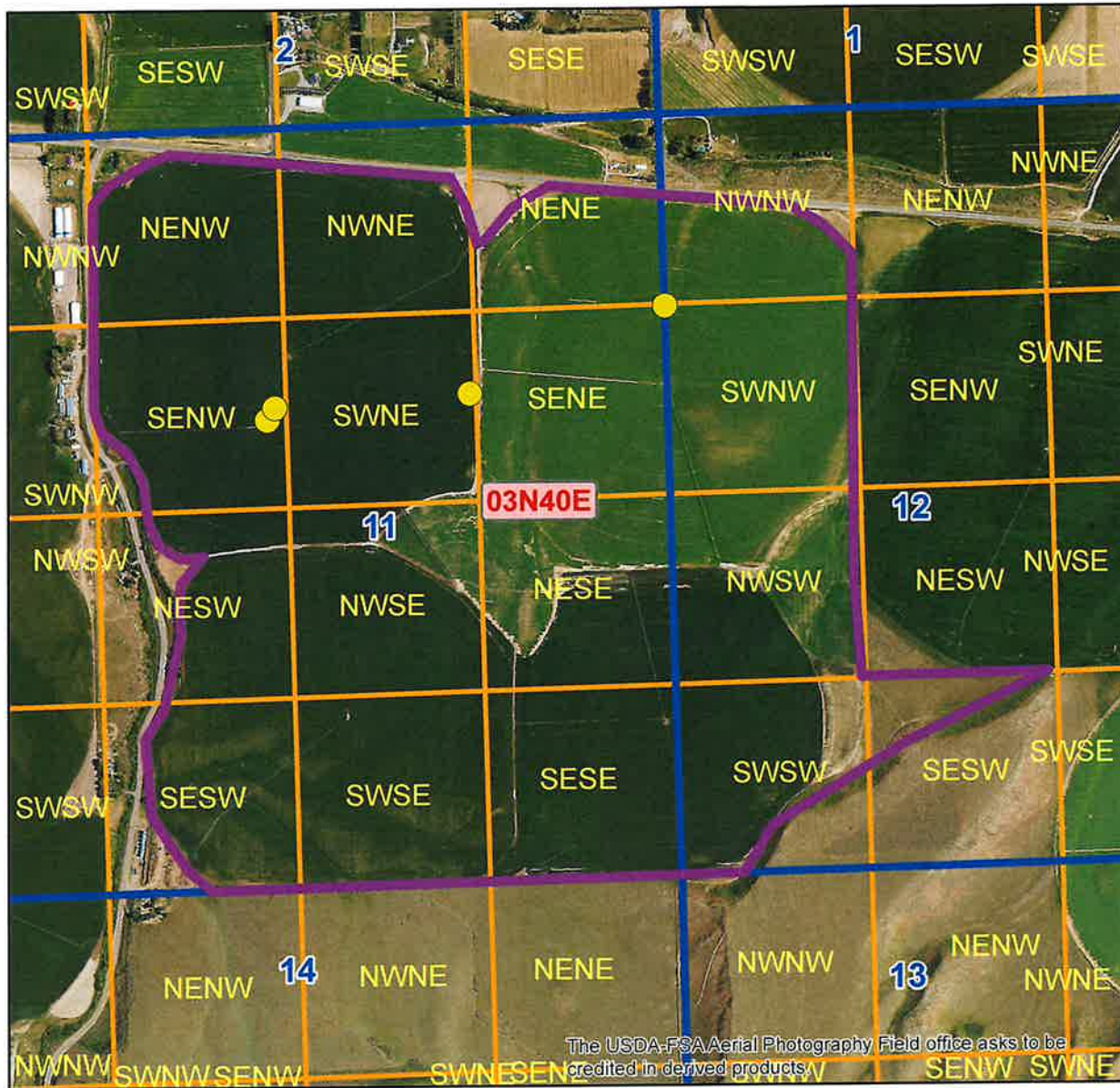
1.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2.	E54	Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
3.	P21	This right is a split from former right 25-7032A.
4.	E53	Use of the rights listed below is limited to a total combined annual diversion volume of 962.5 af. Combined Right Nos.: 25-2116A, and 25-14123.
5.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2024

6. E55 Use of the rights listed below is limited to the irrigation of a combined total of 275 acres in a single irrigation season. Combined Right Nos.: 25-2116A, and 25-14123.
7. E56 Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.

Application for Transfer - Foster Company **Proposed Points of Diversion and Combined Place of Use**



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

2023 Aerial Imagery

- Water Right POD
- FosterCo_POU
- Township/Range
- Sections
- QQ

0 750 1,500 3,000 Feet





STATE OF IDAHO

Phil McGrane | Secretary of State

For Office Use Only

450 N. **-FILED-** at

File #: 0005692743 83720

Date Filed: 3/28/2024 10:45:00 AM

FOSTER COMPANY
PO BOX 626
RIRIE, ID 83443

March 15, 2024

Control # 4694

Expires: April 22, 2024

RE: Expiration of Statement of Partnership Authority

Pursuant to the provisions of Section §30-23-303(j), Statement of Partnership Authority of the Idaho Uniform Business Organizations Act, it has been determined that this statement of partnership authority will expire on the date noted above. Statute provides that the statement expires five (5) years after the date of filing, or the most recent amendment.

If this partnership does not want the statement to expire on the date noted above, complete the information below and mail it back to us with the \$30 filing fee prior to the expiration date.

Failure to file the amendment prior to the expiration date will result in the expiration of the statement.

The Amendment to Statement of Partnership Authority can be filed online at sosbiz.idaho.gov

GENERAL PARTNERSHIP

Amendment to Statement of Partnership Authority

1. The name of the general partnership as recorded with the Secretary of State is:
FOSTER COMPANY
2. The Secretary of State file number for the General Partnership is: **4694**
3. This document is an amendment.
4. The purpose of this amendment is to extend the previously filed Statement of Partnership Authority with the Secretary of State for another five (5) years.

The execution of this statement constitutes an affirmation under the penalties of perjury that the undersigned have the authority to file this statement and that the contents of the statement are accurate.

Signed and dated this 20 day of MARCH, 2024.
(day) (month) (year)

Boyd Foster
Signature

BOYD FOSTER
Printed Name

Laurie Foster
Signature

LAURIE FOSTER
Printed Name

Note: A document filed by a partnership must be executed by at least two partners.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 15, 2024

FOSTER COMPANY
PO BOX 626
RIRIE, ID 83443-0626

RE: Transfer No. 88972
Water Right No(s). 25-14123, 25-2105A, 25-2105B, 25-2116A, 25-2124A, 25-2124B

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER on 5/22/2024 and 5/29/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 15, 2024 2:25 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Post Register
Attachments: 88967, 88972 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 88967, 88972

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/10/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88967**

FOSTER COMPANY, PO BOX 626, RIRIE, ID 83443-0626 has filed Application No. 88967 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-1, 25-2125A, 25-2130, 25-2137, 25-7003, 25-7012, 25-7013, 25-7016; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change points of diversion, add points of diversion and change places of use. Proposed place of use for ground water rights is 1,477 irrigated acres within a 1,652-acre permissible place of use in Sections 10, 11, 14, 15, 22 and 23 T03N R40E. Proposed place of use for Birch Creek right is 145 irrigated acres within the same permissible place of use. Proposed ground water points of diversion are in SENE, NENW, SESW Sec 10, NWNW Sec 11, NWNW and NWSW Sec 15 T03N R40E for 20.75 cfs.

TRANSFER NO. 88972

FOSTER COMPANY, PO BOX 626, RIRIE, ID 83443-0626 has filed Application No. 88972 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-14123, 25-2105A, 25-2105B, 25-2116A, 25-2124A, 25-2124B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change points of diversion, add points of diversion and change place of use. Proposed combined place of use is 550 irrigated acres in Sec 11 and 12 T03N R40E. Proposed points of diversion are in SENW, SENW, SWNE Sec 11 and SWNW Sec 12 T03N R40E for 9.17 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/10/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/22/2024 and 5/29/2024