

Kathy Murphy

Modified:

Fri 10/8/2004 10:36 AM

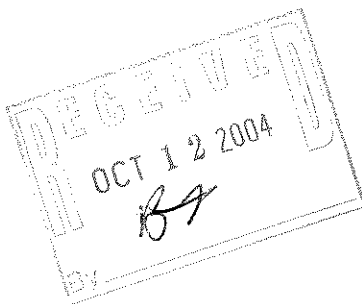
Ms. Payne,

Enclosed is the information you need on the ownership change.

I'm sorry it took so long to get a signature, I had to have the FH Business Council and the Tribal Attorney review it before it could be signed.

If you have any questions please call me.

Kathy Murphy, Office Manager
208)478-3996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	27-7000				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. No. A.J. fee.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Fort Hall Water & Sewer Dist.
RR 6 Box 590 Pocatello, ID.

4. New Owner/Claimant(s)

Shoshone-Bannock Tribe ATTN: Tribal Utilities.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 306

City, State and ZIP Code

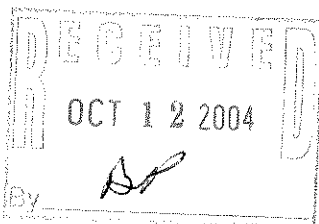
Fort Hall, ID 83203

New Telephone Number

(208) 478-3996

5. Date you acquired the property

May 1, 2001



RESOLUTION

WHEREAS, the Fort Hall Water and Sewer District (the "District") was legally dissolved and its assets passed to Bingham County; and

WHEREAS, Bingham County is desirous of selling the District's assets and the Tribes are desirous of purchasing such assets; and

WHEREAS, the parties met on January 4, 2001 and Bingham County accepted the Tribes offer to purchase the assets for the amount needed to pay off the District's outstanding debts;

NOW, THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that approval is given, in accordance with the attached Agreement, for the payment of \$68,000 to be paid to Bingham County to purchase the District's assets; and

BE IT FURTHER RESOLVED, that the Chairman is authorized to execute the attached Agreement by and on behalf of the Business Council and the Tribes.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat., 984), as amended, and under Article VI, Section 1 (a, 1) of the Constitution and ByLaws of the Shoshone-Bannock Tribes.

Dated this 1st of May 2001.

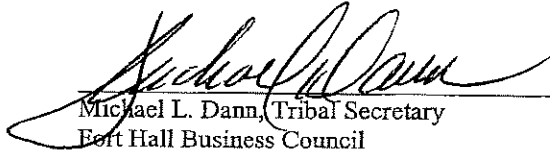


Lionel Q. Boyer, Chairman
Fort Hall Business Council

SEAL

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 5 in favor, 1 absent (LQB), and 1 not voting (CMB) on the date this bears.

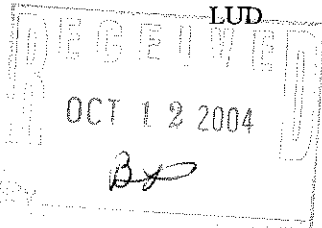


Michael L. Dann, Tribal Secretary
Fort Hall Business Council

FHBC-01-1121

c: Office of Tribal Attorneys

LUD



**AGREEMENT FOR THE TRANSFER OF THE ASSETS
OF THE FORT HALL WATER AND SEWER DISTRICT**

This Agreement is entered into by and between Bingham County, by and through the Board of Bingham County Commissioners (hereinafter "the County") and the Shoshone-Bannock Tribes, by and through the Fort Hall Business Council (hereinafter "the Tribes"). This Agreement is intended to transfer possession of the assets of the Fort Hall Water and Sewer District (hereinafter "the District") from the County to the Tribes.

This Agreement is entered into subject to the following conditions and understandings:

1. The District was formed to serve persons in Bingham County that were located in the Fort Hall Townsite and within the external boundaries of the Fort Hall Indian Reservation.
2. The District has been legally dissolved by vote of the members of the District in accordance with Idaho law.
3. At the time of dissolution, the District had certain assets including, but not limited to, pumps, filters, pipes, storage tank, a building, sewage facilities, easements, a water right, and monetary funds. Possession of these assets was transferred to the County as per Idaho Code §63-4105. The County currently exercises control over the assets.
4. The County will be responsible for paying all outstanding liabilities previously incurred by the District, including, but not limited to:
 - a. The mortgage created on May 17, 1998, between the District and the Idaho Water Resource Board, recorded in the Bingham County Clerk's office as document number 470350.
 - b. Calgon filter replacement.
 - c. Utility bills.
 - d. Engineering report.
 - e. Attorney' fees.
 - f. David Schiess Engineers.
 - g. Payroll tax.
 - h. Water testing.
5. It is the desire of the parties that the assets of the District be transferred to the Tribes to be used for the benefit of persons in the Fort Hall Townsite and on the Fort Hall Indian Reservation.
6. The parties have agreed to a payment in the amount of \$68,000.00 to be paid by the Tribes to the County for the assets of the District.

OCT 12 2004

BT

7. Under the terms of this Agreement the Tribes are purchasing the assets of the District outlined in paragraph 3 above, including accounts receivable as of the date of signing of this Agreement. The Tribes do not assume any previously existing liabilities.

THEREFORE, IT IS HEREBY AGREED TO BY THE PARTIES that:

8. Possession of the assets of the District shall be vested in the Tribes to be used for the benefit of persons in the Fort Hall Townsite and on the Fort Hall Indian Reservation.
9. The Tribes shall pay to the County the amount of \$68,000.00 for the assets of the District.
10. Transfer of possession of the District's assets shall be effective upon the signing of this Agreement by authorized representatives of the County and the Tribes and upon receipt by the County of the sum of \$68,000.00 from the Tribes.
11. This Agreement shall not constitute a waiver of the sovereign immunity of the Tribes. Neither the execution of this Agreement nor any provision contained herein shall be construed as a waiver of the Tribes' sovereign immunity.

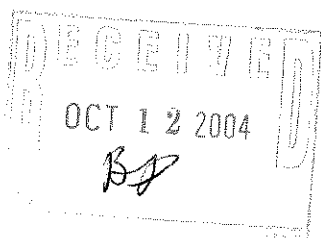
DATED this 15 day of May, 2001.

Robert W. Shirley
Chairman, Bingham County Board of
County Commissioners

Wayne T. Dwyer
Member, Bingham County Board of
County Commissioners

Clara Jolley
Member, Bingham County Board of
County Commissioners

Claudio M. Brando
Chairman, Fort Hall Business
Council



Well
4429

4435

Sewage Disposal
Ponds
Lagoons

720

4434

26

BM
4434

25

4438

HOUSING

4435

TOWNSEND

L.S.
#3

Storage
Bins

4450

ROAD

SHEEPSKIN

JONES

4440

Fort Hall
(BM 4448)

Grain
Elevator

4445

36

TOWNSHIP

LAT

AGENCY

ROAD

AGENCY

35

BM
4457

Fort Hall
Indian Agency

Good Shepherd
Cem

EAGLE

Rest
Area

L.S.
#2

BM

4448

AGENCY
ROAD

HOUSING

ROSS

WASTEWAY

ROSS

FORK

LATERAL

4440

4450

INDIAN

Sandpit

2

ELLSWORTH

RD

BM
4451

SCHOOL

1

MISSION

RECEIVED
OCT 12 2004
B12

ER

LAT

ION

D

WT



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

5 October 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Shoshone-Bannock Tribe

Attn: Tribal Utilities

P. O. Box 306

Ft. Hall, ID 83203

Re: Snake River Basin Adjudication (SRBA)
Claim 27-7000

Subject: OWNERSHIP CHANGE

SECOND REQUEST

Response Date: 15 October 2004

Dear Claimant(s),

We have not heard from you concerning the ownership change on the above referenced claim. If we do not hear from you by the above response date, this claim may be disallowed.

Respectfully,

Barbara Payne

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

3 September 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Shoshone-Bannock Tribe

Attn: Tribal Utilities

P. O. Box 306

Ft. Hall, ID 83203

Re: Snake River Basin Adjudication (SRBA)
Claim 27-7000

COPY

Subject: OWNERSHIP CHANGE

Response Date: 14 September 2004

Dear Claimant(s),

We have been advised you are the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us. Please fill out the highlighted areas on the enclosed Notice of Change form. An authorized signature is required on the reverse side of the form.

We will need a copy of the warranty deed from Fort Hall Water & Sewer District to you as the new owners. We also need a plat, survey map or aerial photo with the appropriate area marked.

Please submit the necessary documentation by the above referenced response date.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

Enclosure:

Form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-7000

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: ownership chg.

FROM: Cindy

DATE: 9/2/04

Please send this ownership change form to the Tribal Utilities, Co Shoshone-Bannock Tribe at the address listed below.

Also, please remind them we need a map of the boundaries.

Thanks,

CB

signature

(X) For your information

() Response required

IMPORTANT MESSAGE

FOR Barbara
DATE 10-8-01 TIME 10:20 ^{A.M.}_{P.M.}
M Kathy Murphy
OF _____

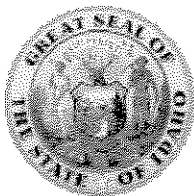
PHONE _____
AREA CODE _____ NUMBER _____ EXTENSION _____
☐ FAX
☐ MOBILE
AREA CODE _____ NUMBER _____ TIME TO CALL _____

TELEPHONED	☒	PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE Called to let you
know she has received 2nd
notice. She was waiting
on signatures which she
received today. Will mail
info to you.

SIGNED _____

FORM 3002P
MADE IN U.S.A.



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

FORT HALL WATER & SEWER DISTRICT

RT 6 BOX 595
POCATELLO, ID 83202

Type of Business: UNINCORPORATED NON PROFIT ASSOCIATION

Status: , CURRENT 25 Aug 1998

State of Origin: IDAHO

Date of 25 Aug 1998

Origination/Authorization:

Initial Registered Agent: TERRY A RUDOLPH
RT 6 BOX 595
POCATELLO, ID 83202

File Number: U103

Date of Last Annual Report:

Amendments:

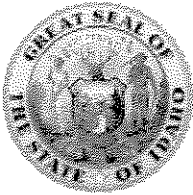
Amendment filed 25 Aug 1998 ORIGINAL FILING

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us



Idaho Secretary of State Search Results

Search Result Summary

[\[New Search \]](#)

Search Results 1 through 1

(FORT HALL WATER & SEWER DISTRICT ... FORT HALL WATER & SEWER DISTRICT)

FORT HALL WATER & SEWER DISTRICT [\[View Details\]](#)

Organizational ID / Filing number: Filed 25 Aug 1998
U103

RT 6 BOX 595
POCATELLO, ID 83202

UNINCORPORATED NON PROFIT
ASSOCIATION

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us