

Moffatt Thomas

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Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

September 18, 2006

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Idaho Department of Water Resources-Eastern
Region

900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Formation Capital Corporation US
Notice of Change in Water Right Ownership
MTBR&F File No. 18992.0

To Whom It May Concern:

Enclosed please find an original and two copies of the following document for filing with the Department:

1. Notice of Change in Water Right Ownership for Water Right Number 75-7073.

Please return one of the copies to our office in the envelope provided. Thank you for your attention.

Very truly yours,


Scott L. Campbell

SLC/dll
Enclosure
cc: Bill Scales

RECEIVED
OCT 06 2006
DEPARTMENT OF
WATER RESOURCES

RECEIVED
SEP 20 2006
Department of Water Resources
Eastern Region

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
75-7073	75-07073	☒ <i>RS</i>			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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**.
 SEE ATTACHMENT A
- 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
 SEE ATTACHMENT B
 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) Derrold and Madge Slavin
PO Box 41, Carmen, Idaho 83642
4. New Owner/Claimant(s) Formation Capital Corporation U.S.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 812 Shoup Street
- City, State and ZIP Code Salmon, ID 83467
- New Telephone Number (208) 756-4578
5. Date you acquired the property July 25, 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

William Scales, President, Formation Capital Corporation U.S.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

QUITCLAIM DEED

THIS QUITCLAIM DEED Executed this 25th day of July, 2006, by first party **Derrold Slavin and Madge Slavin** whose post office address is Box 41 Carmen, ID 83462 to second party, **Formation Capital Corporation U.S.** whose post office address is 812 Shoup Street Salmon Idaho 83467.

WITNESSETH, That the said first party, for good consideration and for the sum of \$1.00 and other valuable considerations paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described water right in the County of Lemhi, State of Idaho, to wit:

WATER RIGHT NO. 75-7073

SOURCE - Bucktail Creek a tributary to South Fork of Big Deer Creek and Big Deer Creek

BENEFICIAL USE - Mining

DIVERSION RATE - 1 CFS

POINT OF DIVERSION - Bucktail Creek SESE Section 17, Township 21N, Range 18E Lemhi County

POINT OF USE - Township 21N, Range 18E Section 8 SW1/4 NE1/4 and SE1/4NE1/4

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness

Derrold J Slavin
First Party

Witness

Madge J. Slavin
First Party

Witness

Will [Signature]
Second Party

STATE OF } Idaho
COUNTY OF } Lemhi

On August 3, 2006 before me, Melissa J Cole, personally appeared Derrold Slavin Madge Slavin & Will [Signature] personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

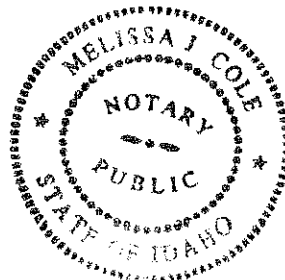
Melissa J. Cole
11/18/2006

Signature

Affiant: ☒ Known _____ Unknown

ID Produced: _____

[Seal]



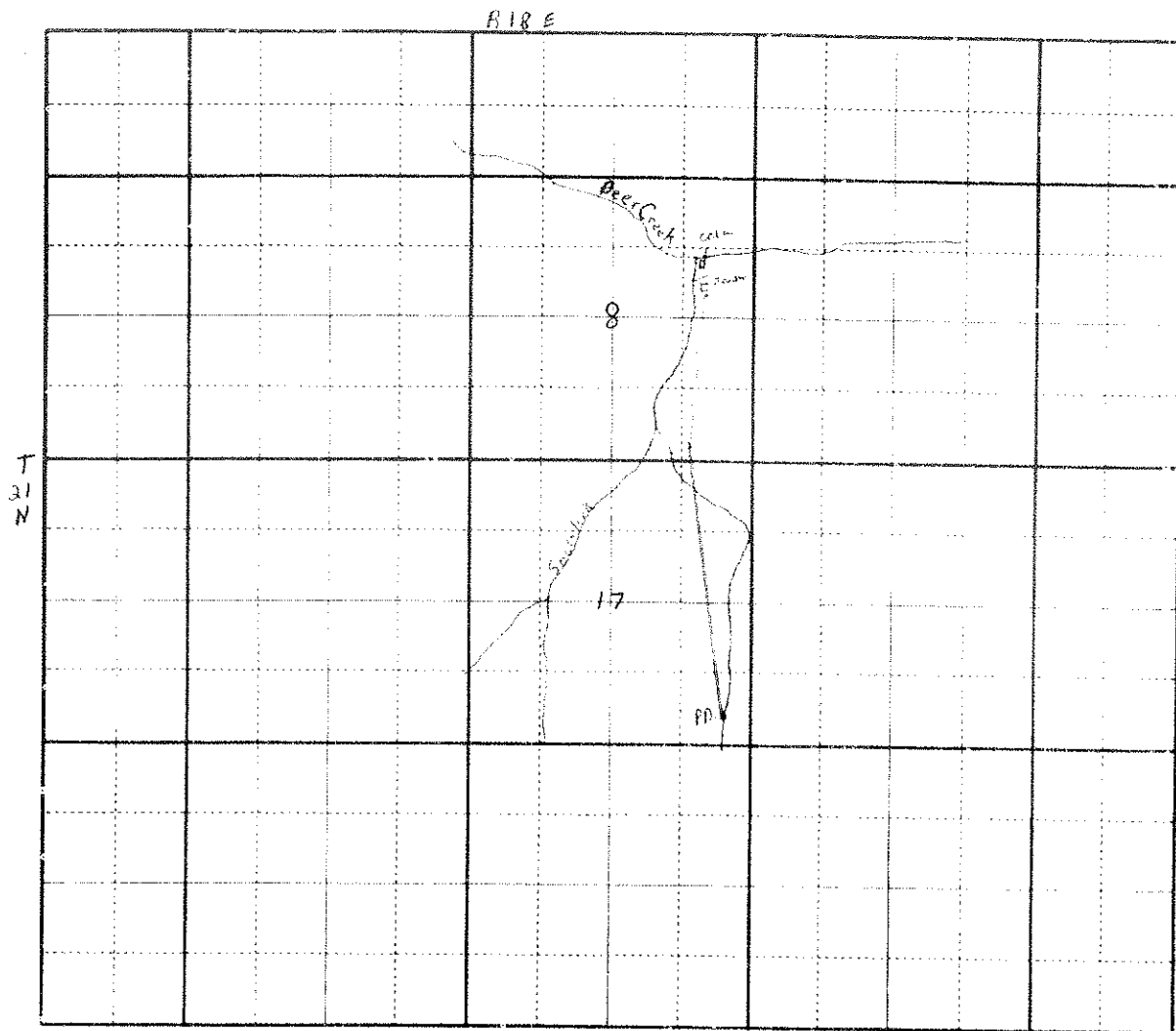
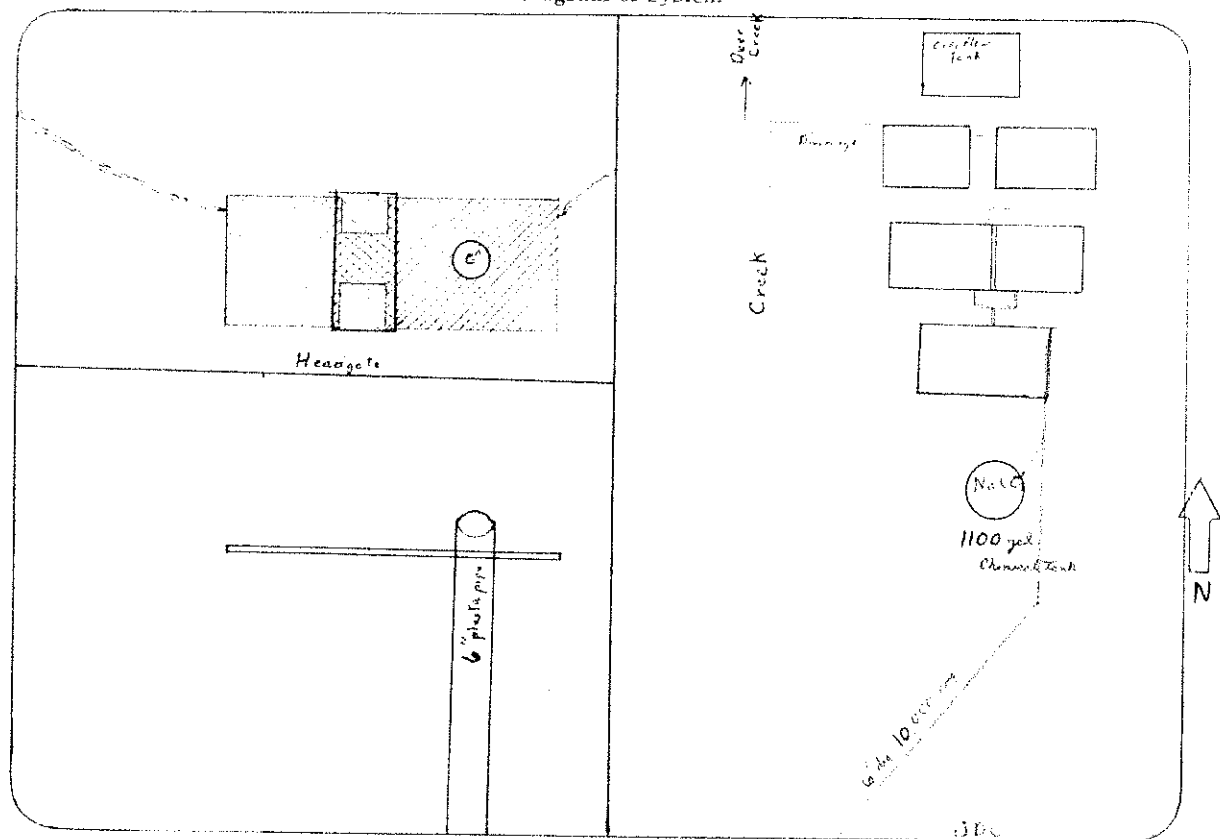


Diagram of System



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MICROFILMED
DEC 13 1992