

RECEIVED

APR 07 2021

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Eastern Region

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 23-8 Returned         | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 23-10288 ok           | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 23-10064 ok           | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 23-10236 ok           | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name:

Cherry Properties  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Foster Land and Cattle  
New owner(s) as listed on the conveyance documentName connector ☐ and ☐ or ☐ and/or

PO Box 40

Mailing address

Kirie

City

ID

State

83443

ZIP

208-538-5172

Telephone

Melonie@fosterlac.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: \_\_\_\_\_

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☐ Filing fee (see instructions for further explanation):  
☐ \$25 per undivided water right.  
☐ \$100 per split water right.  
☐ No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9

SUPPORT DATA

IN FILE # 23-8

8. Signature:

Brad Foster  
Signature of new owner/claimantpartner  
Title, if applicable4/7/21  
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

## For IDWR Office Use Only:

Received by

Date

4/7/2021

Receipt No.

E046813  
E046814

Receipt Amt.

\$150. -  
\$25. -Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Processed by

Date

Partial complete/Refund Requested \$100. - for 23-8

12/16/2021

Instrument # 1635544

Bonneville County, Idaho Falls, Idaho

03/12/2020 01:46:03 PM No. of Pages: 3

Recorded for: PIONEER TITLE CO OF BONNEVILLE CO LLC

Penny Manning Fee: \$15.00

Ex-Officio Recorder Deputy Kmaughan

Index to: DEED, WARRANTY



**Pioneer Title Co.**  
GOING BEYOND

1655 Elk Creek Drive, Suite 100  
Idaho Falls, ID 83404

ELECTRONICALLY RECORDED-DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT

File No. 712445 /

### WARRANTY DEED

For Value Received Cherry Properties, L.L.C., an Arizona Limited Liability Company  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

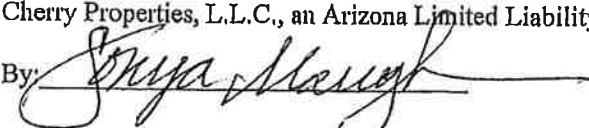
Foster Land & Cattle, an Idaho Partnership  
hereinafter referred to as Grantee, whose current address is P.O Box 40 Ririe, ID 83443  
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and  
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the  
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are  
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those  
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,  
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,  
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,  
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

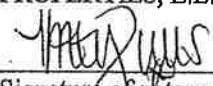
Dated: March 5, 2020

Cherry Properties, L.L.C., an Arizona Limited Liability Company

By: 

State of ARIZONA, County of MARICOPA

This record was acknowledged before me on MARCH 10TH, 2020 by  
SONYA MAUGHAN, as MEMBER/OWNER of CHERRY  
PROPERTIES, L.L.C.

  
Signature of notary public

Commission Expires: JANUARY 7, 2023



NOTARIZE

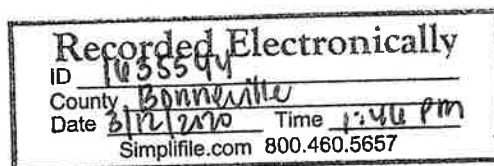


**Pioneer Title Co.**  
GOING BEYOND

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## WARRANTY DEED

For Value Received Cherry Properties, L.L.C., an Arizona Limited Liability Company  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

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hereinafter referred to as Grantee, whose current address is P.O Box 40 Ririe, ID 83443  
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and  
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the  
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are  
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those  
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,  
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,  
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,  
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 2020

Cherry Properties, L.L.C., an Arizona Limited Liability Company

By: 

State of ARIZONA, County of MARICOPA

This record was acknowledged before me on MARCH 10TH, 2020, by  
SONYA MAUGHAN, as MEMBER/OWNER of CHERRY  
PROPERTIES, L.L.C.

  
Signature of notary public  
Commission Expires: JANUARY 7, 2023



NOTARIZE

EXHIBIT A

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho:

Section 1:

The South half (S1/2) of the South half (S1/2) of the Southwest Quarter (SW1/4)

Section 4:

The North half (N1/2); and the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4)

Section 5:

The East half (E1/2) of the Northeast Quarter (NE1/4); and the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4); and the South half (S1/2) of Government Lot 5; and Government Lots 6, 7 and 8; and the Southeast Quarter (SE1/4)

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

a. That certain property conveyed to the United States of America by Right-of-Way Deed recorded in Book 36 at Page 578 of Deed of Records, records of Bonneville County, Idaho.

Section 8:

Government Lot 7

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

a. Beginning at the Northeast corner of Section 8, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; running thence West along the Section line 3223.80 feet to the TRUE POINT OF BEGINNING; thence N13°06'W 219.70 feet; thence S88°54'W 90.90 feet; thence S16°15'E 221.10 feet to an existing meander corner between Section 5, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho and said Section 8; thence S14°E 264.00 feet; thence S25°E 198.00 feet; thence S37°E 165.00 feet; thence S35°E 132.00 feet; thence S60°E 92.40 feet; thence S75°E 79.20 feet; thence N88°20'E 99.00 feet; thence N04°W 198.00 feet; thence N07°W 211.20 feet; thence N70°E 442.20 feet; thence S54°E 805.20 feet; thence S70°E 401.37 feet; thence North 258.99 feet; thence N59°53'27"W 223.31 feet; thence N66°45'W 485.60 feet; thence N82°33'W 1136.80 feet; thence N59°19'W 159.60 feet to the True Point of Beginning.

b. That certain property conveyed to the United States of America by Right-of-Way Deed recorded in Book 36 at Page 578 of Deed of Records, records of Bonneville County, Idaho.

Section 10:

The Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4); and the North half (N1/2) of the Southeast Quarter (SE1/4)

Section 11:

The Northeast Quarter (NE1/4); and the South half (S1/2) of the Northwest Quarter (NW1/4); and the North half (N1/2) of the Southwest Quarter (SW1/4)

Section 12:

The West half (W1/2) of the Northwest Quarter (NW1/4); and the North half (N1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4); and the North half (N1/2) of the South half (S1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4); and the South half (S1/2) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4); and the West half (W1/2) of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4)

ALSO:

Township 2 North, Range 43 East of the Boise Meridian, Bonneville County, Idaho:

Section 13:

The Southwest Quarter (SW1/4)

**Section 24:**

Government **Lots 2 and 3**; and the Northwest Quarter (NW1/4); and the South Half (S1/2)

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to Bonneville County by Right-of-Way Deed recorded in Book 7 at Page 114 of Deed of Records, records of Bonneville County, Idaho.
- b. That certain property conveyed to the State of Idaho by Right-of-Way Deed recorded in Book 33 at Page 638 of Deed of Records, records of Bonneville County, Idaho.

MAIL TAX NOTICE TO:

Cherry Properties, L.L.C.  
7501 E. McCormick Parkway  
Scottsdale, AZ 85258

**SPECIAL WARRANTY DEED**

**REX G. MAUGHAN AND RUTH G. MAUGHAN, as Trustees of the MAUGHAN REVOCABLE TRUST OF 2007, dated August 24, 2007, hereafter "GRANTOR,"** with an address of 7501 E. McCormick Parkway, Scottsdale, AZ 85258, do hereby CONVEY and WARRANT to:

**CHERRY PROPERTIES, L.L.C., an Arizona Limited Liability Company, hereafter "GRANTEE,"** with an address of 7501 E. McCormick Parkway, Scottsdale, AZ 85258, for the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract(s) of land in Jerome County, State of Idaho:

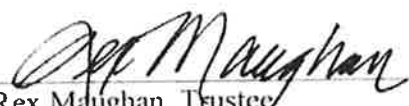
All that certain tract of land situated in Bonneville County, Idaho, more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

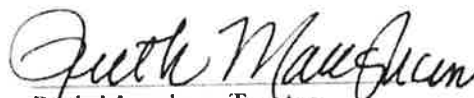
SUBJECT TO easements, covenants, assessments, liens, encumbrances, restrictions, rights of way and reservations appearing of record and taxes for the year of 2019 and thereafter.

WITNESS, the hand(s) of said Grantor(s), this 22<sup>nd</sup> day of August, 2019.

Signed in the presence of:

GRANTOR:

  
Rex Maughan, Trustee  
Maughan Revocable Trust of 2007

  
Ruth Maughan, Trustee  
Maughan Revocable Trust of 2007

STATE OF ARIZONA                     )  
                                                      ) ss.  
COUNTY OF MARICOPA             )

On the 22<sup>nd</sup> day of August, 2019, before me, the undersigned Notary Public, personally appeared Rex Maughan, as Grantor, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he has executed the above document.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

JANUARY 7, 2023



STATE OF ARIZONA                     )  
                                                      ) ss.  
COUNTY OF MARICOPA             )

On the 22<sup>nd</sup> day of August, 2019, before me, the undersigned Notary Public, personally appeared Ruth Maughan, as Grantor, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she has executed the above document.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

JANUARY 7, 2023



**EXHIBIT "A"**

Township 3 North, Range 41 East of the Boise Meridian, County of Bonneville, State of Idaho.

Section 1: S  $\frac{1}{2}$  S  $\frac{1}{2}$  SW  $\frac{1}{4}$   
Section 4: N  $\frac{1}{2}$ ; SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
Section 5: E  $\frac{1}{2}$  NE  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  Lot 5; Lots 6, 7 and 8; SE  $\frac{1}{4}$   
Section 8: Lot 7  
Section 10: SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SE  $\frac{1}{4}$   
Section 11: NE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SW  $\frac{1}{4}$   
Section 12: W  $\frac{1}{2}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  S  $\frac{1}{2}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; S  $\frac{1}{2}$  SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
W  $\frac{1}{2}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  NW  $\frac{1}{4}$

**EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROEPRTY:**

Beginning at the Northeast Corner of Section 8, Township 3 North, Range 41 East of the Boise Meridian, County of Bonneville, State of Idaho; running thence West along the Section line 3223.8 feet to the True Point of Beginning; thence N13°06'W 219.7 feet; thence S88°54'W 90.9 feet; thence S16°15'E 221.1 feet to an existing meander corner between Section 5 and Section 8; thence S14°E 264.0 feet; thence S25°E 198.0 feet; thence S37°E 165.0 feet; thence S35°E 132.0 feet; thence S60°E 92.4 feet; thence S75°E 79.2 feet; thence N88°20'E 99.0 feet; thence N04°W 198.0 feet; thence N07°W 211.2 feet; thence N70°E 442.2 feet; thence S54°E 805.2 feet; thence S70°E 401.37 feet; thence North 258.99 feet; thence N59°53'27"W 223.31 feet; thence N66°45"W 485.6 feet; thence N82°33'W 1136.8 feet; thence N59°19'W 159.6 feet to the True Point of Beginning.

**This Warranty Deed also conveys the following:**

All water and water rights, crop allotments, ditch and ditch rights, including but not limited to, 800 shares of Palisades Water Users and a Decree #23-0009 in Kelly Creek.

Together with existing irrigation equipment consisting of two pumps, one 100 hp and one 10 hp, four ¼ mile wheel line (Wade Rain), one ¼ mile hand line and existing main lines.

All of the rights, title, and interest in and to the Land Bank stock which results from the Federal Land Bank Loan on this property.

All mineral, geothermal, oil or gas rights pertaining to the property, subject to existing minerals and geothermal and/or oil and gas leases.

All Bureau of Land Management permits, allotments and leases from the State of Idaho pertaining to any land described herein.

State of Idaho Lease: Lots 5 and 6, Section 16, Township 3 North, Range 41 East of the Boise Meridian in Idaho, containing 92.29 acres.

Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

When recorded please mail to:  
R. Maughan Trust  
c/o Forever Living Products  
7501 E. McCormick Parkway  
Scottsdale, AZ 85258

**Instrument # 1332562**

**IDAHO FALLS, BONNEVILLE, IDAHO**

5-13-2009 03:11:25 No. of Pages: 2

Recorded for : KATE FINEGAN

**RONALD LONGMORE**

**Ex-Officio Recorder Deputy**

## Index to DEED, WARRANTY

## SPECIAL WARRANTY DEED

For the consideration of TEN AND NO/100 DOLLARS, and other valuable considerations, as the GRANTORS herein, **M & M Cattle Company, a partnership** of 7501 E. McCormick Parkway Scottsdale, AZ 85258 do hereby convey to **REX G. MAUGHAN and RUTH G. MAUGHAN, as trustees of the MAUGHAN REVOCABLE TRUST OF 2007, dated August 24, 2007** of 7501 E. McCormick Parkway Scottsdale, AZ 85258 as the GRANTEE, the following described real property situate in **BONNEVILLE** County, Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

SUBJECT TO: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.  
And the Grantor binds itself and its successors to warrant the title against its acts and none other, subject to the matters above set forth.

DATED April 2, 2008

By: REX G. MAUGHAN, as sole  
remaining partner of M & M Cattle Company

STATE OF ARIZONA )  
 ) ss.  
County of MARICOPA )

On the 2<sup>nd</sup> day of April, 2008 before me, the undersigned Notary Public, personally appeared REX G. MAUGHAN, as sole remaining partner, personally known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they have executed the above document.

WITNESS my hand and official seal.

Notary Public



EXHIBIT "A"

Township 3 North, Range 41 East of the Boise Meridian, County of Bonneville,  
State of Idaho.

Section 1: S  $\frac{1}{2}$  S  $\frac{1}{2}$  SW  $\frac{1}{4}$   
Section 4: N  $\frac{1}{2}$ ; SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
Section 5: E  $\frac{1}{2}$  NE  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  Lot 5; Lots 6, 7 and 8; SE  $\frac{1}{4}$   
Section 8: Lot 7  
Section 10: SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SE  $\frac{1}{4}$   
Section 11: NE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SW  $\frac{1}{4}$   
Section 12: W  $\frac{1}{2}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  S  $\frac{1}{2}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; S  $\frac{1}{2}$  SW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
NW  $\frac{1}{4}$ ; W  $\frac{1}{2}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  NW  $\frac{1}{4}$

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

Beginning at the Northeast Corner of Section 8, Township 3 North, Range 41 East of the Boise Meridian, County of Bonneville, State of Idaho; running thence West along the Section line 3223.8 feet to the True Point of Beginning; thence N13°06'W 219.7 feet; thence S88°54'W 90.9 feet; thence S16°15'E 221.1 feet to an existing meander corner between Section 5 and Section 8; thence S14°E 264.0 feet; thence S25°E 198.0 feet; thence S37°E 165.0 feet; thence S35°E 132.0 feet; thence S60°E 92.4 feet; thence S75°E 79.2 feet; thence N88°20'E 99.0 feet; thence N04°W 198.0 feet; thence N07°W 211.2 feet; thence N70°E 442.2 feet; thence S54°E 805.2 feet; thence S70°E 401.37 feet; thence North 258.99 feet; thence N59°53'27"W 223.31 feet; thence N66°45"W 485.6 feet; thence N82°33'W 1136.8 feet; thence N59°19'W 159.6 feet to the True Point of Beginning.

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Together with existing irrigation equipment consisting of two pumps, one 100 hp. and one 10 hp, four  $\frac{1}{4}$  mile wheel line (Wade Rain), one  $\frac{1}{4}$  mile hand line and existing main lines.

All of the rights, title, and interest in and to the Land Bank stock which results from the Federal Land Bank Loan on this property.

All mineral, geothermal, oil or gas rights pertaining to the property, subject to existing minerals and geothermal and/or oil or gas leases.

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State of Idaho Lease: Lots 5 & 6, Section 16, Township 3 North, Range 41 East, of the Boise Meridian in Idaho, containing 92.29 acres.

Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

Unofficial Document

MAIL TAX NOTICE TO:

Cherry Properties, L.L.C.  
7501 E. McCormick Parkway  
Scottsdale, AZ 85258

**SPECIAL WARRANTY DEED**

**REX G. MAUGHAN AND RUTH G. MAUGHAN, as Trustees of the MAUGHAN REVOCABLE TRUST OF 2007, dated August 24, 2007, hereafter "GRANTOR,"** with an address of 7501 E. McCormick Parkway, Scottsdale, AZ 85258, do hereby CONVEY and WARRANT to:

**CHERRY PROPERTIES, L.L.C., an Arizona Limited Liability Company, hereafter "GRANTEE,"** with an address of 7501 E. McCormick Parkway, Scottsdale, AZ 85258, for the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract(s) of land in Jerome County, State of Idaho:

All that certain tract of land situated in Bonneville County, Idaho, more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

SUBJECT TO easements, covenants, assessments, liens, encumbrances, restrictions, rights of way and reservations appearing of record and taxes for the year of 2019 and thereafter.

WITNESS, the hand(s) of said Grantor(s), this 22<sup>nd</sup> day of August, 2019.

Signed in the presence of:

GRANTOR:

  
Rex Maughan, Trustee  
Maughan Revocable Trust of 2007

  
Ruth Maughan, Trustee  
Maughan Revocable Trust of 2007

STATE OF ARIZONA                     )  
                                                           ) ss.  
 COUNTY OF MARICOPA                )

On the 22<sup>nd</sup> day of August, 2019, before me, the undersigned Notary Public, personally appeared Rex Maughan, as Grantor, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he has executed the above document.

WITNESS my hand and official seal.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires:

JANUARY 7, 2023



STATE OF ARIZONA                     )  
                                                           ) ss.  
 COUNTY OF MARICOPA                )

On the 22<sup>nd</sup> day of August, 2019, before me, the undersigned Notary Public, personally appeared Ruth Maughan, as Grantor, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she has executed the above document.

WITNESS my hand and official seal.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires:

JANUARY 7, 2023



**EXHIBIT "A"**

Township 2 North, Range 43 East of the Boise Meridian, County of Bonneville, State of Idaho.

Section 13: SW  $\frac{1}{4}$

Section 24: Lots 2 and 3; NW  $\frac{1}{4}$ ; S  $\frac{1}{2}$

**EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:**

That certain property conveyed to the State of Idaho by Right-of-Way Deed recorded in Book 33 at Page 368 of Deed of Records, records of Bonneville County, Idaho.

563214

# WARRANTY DEED

THIS INDENTURE, Made this 15<sup>th</sup> day of April, 1929  
by and between MARION W. BLAKELY and BONNIE L. BLAKELY, husband and  
wife, Box 326, Ririe.

of the County of Jefferson, State of Idaho, the parties of the first  
part, and M & M CATTLE COMPANY, a co-partnership composed of REX G.  
MAUGHAN and ELMO G. MATTHEWS, 3800 N. Central Avenue, Suite 1501,  
Phoenix (84012)  
of the County of Maricopa, State of Arizona, the party of the second  
part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of  
TEN AND NO/100 DOLLARS  
lawful money of the United States of America, and other good and valuable considerations, to them  
in hand paid by party of the second part, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm  
unto the said party of the second part and to its heirs and assigns forever, all the follow-  
ing described real estate, situate in the County of Bonneville, State of Idaho, to wit:

See attached Exhibit A for the description of said  
real property.

Subject to a Mortgage appearing of record in Book  
130 of Mortgages at Page 185, records of Bonneville  
County, Idaho, and a Mortgage appearing as recorder's  
number 519635, records of Bonneville County, Idaho,  
which Mortgages party of the second part assume and  
agree to pay.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-  
longing or in anywise appertaining, and the reversion or reversions, remainder and remainders, rents,  
issues and profits thereof, and all estate, right, title and interest in and to the said property as well in  
law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-  
gether with the appurtenances, unto the party of the second part, and to its heirs and  
assigns forever. And the said parties of the first part, and their heirs, the said premises  
in the quiet and peaceable possession of the said party of the second part, and its heirs  
and assigns against the said parties of the first part and their heirs and against all and  
every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WAR-  
RANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their  
hands and seals the day and year first above written.

Signed, sealed and delivered in the  
presence of

Marion W. Blakely (SEAL)  
Bonnie L. Blakely (SEAL)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (SEAL)

STATE OF IDAHO

County of Bonniville

ss.

On this 15th day of April, in the year 1979 before me

the undersigned \_\_\_\_\_, a Notary Public in and for the State of Idaho, personally

appeared MARION W. BLAKELY and BONNIE L. BLAKELY, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written

Wendell R. Voss  
Notary Public

Residing at Idaho Falls Idaho

My Commission Expires Life Term, 1979

No. \_\_\_\_\_

WARRANTY DEED

TO

Dated \_\_\_\_\_, 19\_\_\_\_

STATE OF IDAHO

County of \_\_\_\_\_

ss.

I hereby certify that this instrument was filed for record at the request of \_\_\_\_\_

at \_\_\_\_\_ minutes past \_\_\_\_\_

o'clock \_\_\_\_\_ M., this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_

in my office and duly recorded in

Book \_\_\_\_\_ of \_\_\_\_\_, at

page \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_

Deputy

Fees \$ \_\_\_\_\_



EXHIBIT A

The SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5; Lots 7 and 8 in Section 5; The E $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 5; the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 5; the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of Section 4; the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 10; the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 10; the N $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 11; the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 11; the NE $\frac{1}{4}$  of Section 11 excepting therefrom all of the minerals, rocks, ores, coal, oils and/or gas upon or beneath the surface of the said NE $\frac{1}{4}$  of Section 11 or any part thereof; the S $\frac{1}{2}$  of the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 1; the W $\frac{1}{2}$  of the NW $\frac{1}{4}$ ; the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the N $\frac{1}{2}$  of the S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , and the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 12; Lot 7 in Section 8 all in Township 3 North, Range 41 East of the Boise Meridian together with all water and water rights, ditch and ditch rights, together with all grazing rights, including state leased lands, Taylor grazing permits and forest grazing permits, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

Excepting therefrom the following described real property to wit: Beginning at the center of Section 5, Township 3 North, Range 41 East of the Boise Meridian, in Idaho. Thence East, 153 feet; thence North, 340 feet; thence East, 111.5 feet; thence North 393 feet; thence North 13°20' West 603.3 feet, more or less, to the South line of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 5; thence West along said South line of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  125.4 feet, more or less, to the Southwest corner thereof; thence North along the West line of said NW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , 208.2 feet; thence North 42°6' West 281 feet; thence South 62° West along a certain fence line 753 feet, more or less, to the East line of a North and South Forest Road; thence South 1° West along said Forest Road East line, 77 feet; thence South 8° West along said Forest Road East line 219.5 feet; thence South 5°20' West along said East line, 314 feet; thence South 0°35' West along said East line 181 feet; thence South 2°48' East along said East line 312.5 feet; thence South 5°24' East along said East line 284 feet to the center of an East line; thence East along the center of said Lane 874 feet to the point of beginning. Containing 38.36 acres, more or less. Being parts of Lots 5 and 6, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 5.

Beginning at the center of Section 5, Township 3 North, Range 41 East of the Boise Meridian, in Idaho. Thence East 153 feet; thence North 340 feet; thence East 111.5 feet; thence North 393 feet; thence North

*for am*

13°20' West 603.3 feet, more or less, to the South line of the NW¼ of the NE¼ of said Section 5; thence West along said South line of the NW¼ of the NE¼ 125.4 feet, more or less, to the Southwest corner thereof; thence North, along the West line of said NW¼ of the NE¼ 208.2 feet; thence North 42°6' West 281 feet; thence South 62° West along a certain fence line 753 feet, more or less, to the East line of a North and South Forest Road; thence South 1° West along said Forest Road East line, 77 feet; thence South 8° West along said Forest Road East line 219.5 feet; thence South 5°20' West along said East line 314 feet; thence South 0°35' West along said East line 181 feet; thence South 2°48' East along said East line 312.5 feet; thence South 5°24' East along said East line 284 feet to the center of an East lane; thence East along the center of said lane 874 feet to the point of beginning.

Containing 38.36 acres, more or less.

Being parts of Lots 5 and 6, and the SW¼NE¼ of said Section 5.

Excluding from the operation of this agreement the following described real property, to-wit:

A parcel of land situated in Bonneville County, State of Idaho, Section 5 and Section 8, Township 3 North, Range 41 East of the Boise Meridian, more particularly described as follows: Beginning at the Northeast corner of Section 8, Township 3 North, Range 41 East of the Boise Meridian; thence West along the section line for a distance of 3,223.8 feet to the true point of beginning; thence North 13°06' West for a distance of 219.7 feet; thence South 88°54' West for a distance of 98.9 feet; thence South 16°1' East for a distance of 221.1 feet to an existing meander corner between Section 5 and Section 8; thence South 14° East for a distance of 264 feet; thence South 25° East for a distance of 198 feet; thence South 37° East for a distance of 165 feet; thence South 35° East for a distance of 132 feet; thence South 60° East for a distance of 92.4 feet; thence South 75° East for a distance of 79.2 feet; thence North 88°20' East for a distance of 99 feet; thence North 04° West for a distance of 198 feet; thence North 07° West for a distance of 211.2 feet; thence North 70° East for a distance of 442.2 feet; thence South 54° East for a distance of 805.2 feet; thence South 70° East for a distance of 401.37 feet; thence North for a distance of 258.99 feet; thence North 59°53'27" West for a distance of 223.31 feet; thence North 66°45' West for a distance of 485.6 feet; thence North 82°33' West for a distance of 1,136.8 feet; thence North 59°19' West for a distance of 159.6 feet to the True Point of Beginning, containing 12.65 acres more or less.

This Warranty Deed also conveys the following:

All water and water rights, crop allotments, ditch and ditch rights including, but not limited to 800 shares of Palisades Water Users and a Decree #23-0009 in Kelly Creek.

Together with existing irrigation equipment consisting of two pumps, one 100 hp and one 10 hp, four  $\frac{1}{4}$  mile wheel line (Wade Rain), one  $\frac{1}{4}$  mile hand line and existing main lines.

All of the rights, title, and interest in and to the Land Bank stock which results from the Federal Land Bank Loan on this property.

All mineral, geothermal, oil or gas rights pertaining to the property, subject to existing minerals and geothermal and/or oil or gas leases.

All Bureau of Land Management permits and allotments and leases from the State of Idaho pertaining to any land described herein.

State of Idaho Lease: Lots 5 & 6, Section 16, Township 3 North, Range 41 East, of the Boise Meridian in Idaho, containing 92.29 acres.

Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

3 of 3

1137971 DEC12'03 PM 4 46

## QUITCLAIM DEED

|                                                           |          |
|-----------------------------------------------------------|----------|
| INSTRUMENT NO.                                            | 1137971  |
| DATE                                                      | 12-12-03 |
| 1-1ST CODE                                                | 230      |
| IMAGED PGS                                                | 90       |
| FEE                                                       |          |
| STATE OF IDAHO ) SS                                       |          |
| COUNTY OF BONNEVILLE )                                    |          |
| I hereby certify that the within instrument was recorded. |          |
| Ronald Longmire, County Recorder                          |          |
| Deputy Recorder                                           |          |

THIS INDENTURE is made this 19<sup>th</sup> day of November, 2003, by Dawn S. Blakely, the "Grantor," and Dawn S. Blakely, Trustee of the LaNona R. Blakely Testamentary Family Trust, and any successor trustee, whose mailing address is 5291 East Heise Road, Ririe, Idaho 83443, the "Grantee."

## WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in Jefferson, Madison, and Bonneville Counties, State of Idaho, to-wit:

A one-fourth (1/4) undivided interest in and to the following:

Parcel 1: S1/2SE1/4 of Section 24, Township 4 North, Range 40 EBM, Madison County, Idaho.

N1/2NE1/4 of Section 25, Township 4 North, Range 40 EBM, Jefferson County, Idaho.

ALSO: Lots No. 1, 2 and 3 and the SE1/4NE1/4, all in Section 29, Township 4 North, Range 41 EBM, together with all ditch rights and irrigation water rights thereto belonging or used thereupon, Jefferson County, Idaho.

ALSO: Lot 4 of Section 29, Township 4 North, Range 41 EBM. H.E. Survey No. 113, embracing a portion of Section 29 and 30 in Township 4 North, Range 41 EBM, more particularly described as follows: Beginning at Corner No. 1 identical with the NW Corner of said Section 30; thence S 15.18 chains to Corner No. 2; thence N 89°49' E 78.22 chains to Corner No. 3; thence N 89°49' East 1.31 chains to Corner No. 4; thence N 1°51' E 14.47 chains to Corner No. 5; thence N 89°46' W 39.93 chains to the S1/4 Corner of Section 19, Township 4 North, Range 41 EBM; thence N 89°36' W 1.91 chains to Corner No. 6; thence N 89°36' W 38.08 chains to Corner No. 1, the place

of beginning. H.E. Survey No. 114 embracing a portion of Section 29 and 30 in township 4 North, Range 41 EBM more particularly bounded and described as follows: Beginning at Corner No. 1 from which the 1/4 Corner of said Section 29 and 30 bears S 15° E 22.99 chains distant; thence N 89°49' E 9.3 chains to Corner No. 2; thence South 17°38' W 26.25 chains to Corner No. 3; thence N 80°40' W 1.26 chains to Corner No. 4; thence N 80°40' W 59.51 chains to Corner No. 5; thence N 14.95 chains to Corner No. 6; thence N 89°49' E 58.61 chains to Corner No. 1, the place of beginning, Jefferson County, Idaho.

Parcel 2: Township 4 North, Range 41, E.B.M, Jefferson County, Idaho Section 32: Lot 2.

Parcel 3: North ½ of Lot 5, Section 5, Township 3 North, Range 41, E.B.M., Bonneville County, Idaho.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

With this conveyance, together with a conveyance of the one-half undivided interest in such property held by the LaNona R. Blakely Estate, the LaNona R. Blakely Testamentary Family Trust now holds a seventy-five percent (75%) undivided interest in the above described property.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

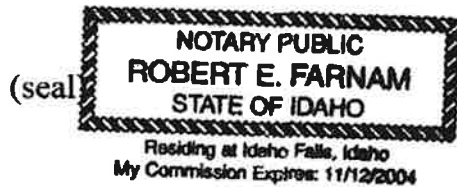
IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

  
Dawn S. Blakely, Grantor

STATE OF IDAHO            )  
                                      )ss.  
County of Bonneville        )

On the 19<sup>th</sup> day of November, 2003, before me, the undersigned, a notary public, in and for said State, personally appeared Dawn S. Blakely, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Idaho Falls, Idaho  
My Commission Expires: 11/12/04

G:\WPDATA\REF\11326BLAKELY\QCD.wpd:38

|                                                           |                      |
|-----------------------------------------------------------|----------------------|
| INSTRUMENT NO.                                            | 1137970              |
| DATE                                                      | 12-12-03             |
| INST. CODE                                                | 285                  |
| IMAGED PGS                                                | 30                   |
| FEE                                                       |                      |
| STATE OF IDAHO ) ss                                       |                      |
| COUNTY OF BONNEVILLE )                                    |                      |
| I hereby certify that the within instrument was recorded. |                      |
| Ronald Longmore, County Recorder                          |                      |
| By                                                        | <i>[Signature]</i>   |
| Request of                                                | <i>Holden Kudvel</i> |

**DEED OF DISTRIBUTION**

THIS DEED is made the 19<sup>th</sup> day of November, 2003, between Dawn S. Blakely, personal representative of the Estate of LaNona R. Blakely, deceased, Grantor, and Dawn S. Blakely, Trustee of the LaNona R. Blakely Testamentary Family Trust, whose mailing address is 5291 East Heise Road, Ririe, Idaho 83443, Grantee.

WHEREAS, Dawn S. Blakely, Grantor, is the duly appointed and acting personal representative of the Estate of LaNona R. Blakely, deceased; and

WHEREAS, Dawn S. Blakely, Trustee of the LaNona R. Blakely Testamentary Family Trust, Grantee, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of LaNona R. Blakely, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to its successors and assigns forever, all that certain parcel of land, situate, lying and being in Jefferson, Madison, and Bonneville Counties, Idaho, and more particularly described as follows:

A one-half (1/2) undivided interest in and to the following:

Parcel 1: S1/2SE1/4 of Section 24, Township 4 North, Range 40 EBM, Madison County, Idaho.

N1/2NE1/4 of Section 25, Township 4 North, Range 40 EBM, Jefferson County, Idaho.

ALSO: Lots No. 1, 2 and 3 and the SE1/4NE1/4, all in Section 29, Township 4 North, Range 41 EBM, together with all ditch rights and irrigation water rights thereto belonging or used thereupon, Jefferson County, Idaho.

ALSO: Lot 4 of Section 29, Township 4 North, Range 41 EBM. H.E. Survey No. 113, embracing a portion of Section 29 and 30 in Township 4 North, Range 41 EBM, more particularly described as follows: Beginning at Corner No. 1 identical with the NW Corner of said Section 30; thence S 15.18 chains to Corner No. 2; thence N 89°49' E 78.22 chains to Corner No. 3;

thence N 89°49' East 1.31 chains to Corner No. 4; thence N 1°51' E 14.47 chains to Corner No. 5; thence N 89°46' W 39.93 chains to the S1/4 Corner of Section 19, Township 4 North, Range 41 EBM; thence N 89°36' W 1.91 chains to Corner No. 6; thence N 89°36' W 38.08 chains to Corner No. 1, the place of beginning. H.E. Survey No. 114 embracing a portion of Section 29 and 30 in township 4 North, Range 41 EBM more particularly bounded and described as follows: Beginning at Corner No. 1 from which the 1/4 Corner of said Section 29 and 30 bears S 15' E 22.99 chains distant; thence N 89°49' E 9.3 chains to Corner No. 2; thence South 17°38' W 26.25 chains to Corner No. 3; thence N 80°40' W 1.26 chains to Corner No. 4; thence N 80°40' W 59.51 chains to Corner No. 5; thence N 14.95 chains to Corner No. 6; thence N 89°49' E 58.61 chains to Corner No. 1, the place of beginning, Jefferson County, Idaho.

Parcel 2: Township 4 North, Range 41, E.B.M, Jefferson County, Idaho  
Section 32: Lot 2.

Parcel 3: North ½ of Lot 5, Section 5, Township 3 North, Range 41,  
E.B.M., Bonneville County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

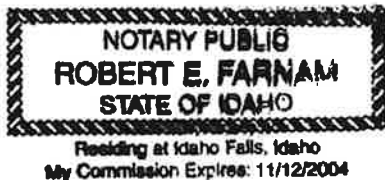
  
Dawn S. Blakely

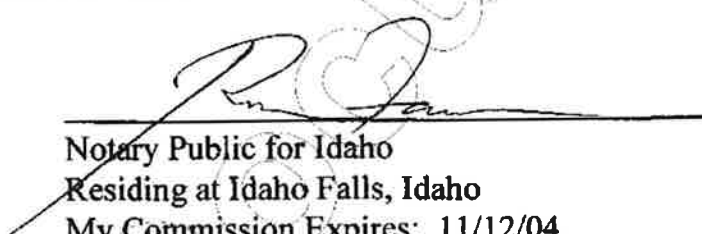
STATE OF IDAHO            )  
                                      )ss.  
County of Bonneville        )

On the 19<sup>th</sup> day of November, 2003, before me, the undersigned, a notary public, in and for said State, personally appeared Dawn S. Blakely, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of LaNona R. Blakely and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Idaho Falls, Idaho  
My Commission Expires: 11/12/04



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

December 16, 2021

FOSTER LAND AND CATTLE  
PO BOX 40  
RIRIE ID 83443-0040

Re: Change in Ownership for Water Right No(s): 23-8, 23-10064, 23-10236, 23-10288

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Please note the department did not receive sufficient evidence of ownership to complete water right number 23-8. On July 13, 2021, the department requested additional information indicating your ownership in that water right. The department has not received the requested information, specifically documentation showing D & L Blake owned the property the water right was appurtenant to. If they did not own the property, the department requested a deed executed by D & L Blakely (or their estate) for the split portion of the right. The information was to be submitted in 60 days.

IDWR has never received a response to the request for the additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change in 23-8. We are therefore initiating a refund of your that portion of the filing fee (\$100.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please refile your Notice of Change in Water Right Ownership for 23-8 anytime in the future. Because you filing fee was refunded you will need to determine and provide the proper filing fee at the time you refile the Ownership Change.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

## Barg, Jonie

---

**From:** Barg, Jonie  
**Sent:** Thursday, December 16, 2021 11:18 AM  
**To:** IdwrPayable  
**Subject:** Refund Request  
**Attachments:** Receipt(2).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E046813  
Amount: \$100.00  
Payable to: FOSTER LAND AND CATTLE  
PO BOX 40  
RIRIE ID 83443

Reason: Ownership Change submitted several water rights, additional information required for one split. Information requested but was not received therefore the ownership change for the one water right is not being processed and the applicant is entitled to a partial refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

**Jonie Barg | Technical Records Specialist**

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)



State of 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

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

July 13, 2021

Foster Land and Cattle  
PO Box 40  
Ririe, ID 83443

RE: Ownership Change for Water Right 23-8

Dear Water User:

In April, you filed a Notice of Change in Water Right Ownership, seeking to update the ownership records for water rights 23-10288, 23-10064, 23-10236 and a split portion of water right 23-8. The records provided with the notice and available through Bonneville County confirm your ownership of water rights 23-10288, 23-10064, 23-10236. This letter is meant to be a request for additional information related to your ownership of a portion of water right 23-8.

The Snake River Basin Adjudication (SRBA) court issued a partial decree for water right 23-8 on March 30, 2005. A copy of the SRBA partial decree is enclosed. The owners of record were Dawn and LaNona Blakely. D & L Blakely are still the owners of record for water right 23-8. A portion of the irrigation place of use for water right 23-8 is located on your property. These acres are in the south half of Lot 5 (NENW), Section 5, T03N, R41E. In order to update the ownership records for water right 23-8, you need to trace ownership of the land back to D & L Blakely. Please provide deeds showing that D & L Blakely owned the south half of Lot 5 (NENW) of Section 5, T03N, R41E.

It is possible that D & L Blakely never owned the south half of Lot 5. Enclosed are two deeds from 2003 that suggest that D & L Blakely only owned the north half of Lot 5. If we discover that D & L Blakely never owned the south half of Lot 5, then the only way to update the ownership for the portion of the right associated with your property is to have D & L Blakely (or their estate) execute a deed for the split portion of the right. Please provide the additional documents supporting your ownership of a portion of water right 23-8 within 60 days. If the additional deeds are not provided by September 13 2021, I will refund the filing fee associated with water right 23-8. Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J Cefalo'.

James Cefalo  
208-525-7161

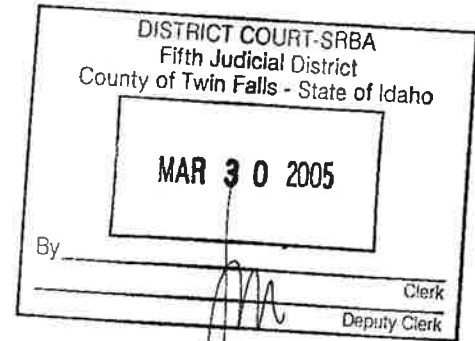
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 23-00008



NAME AND ADDRESS: DAWN S BLAKELY  
LA NONA BLAKELY  
5291 E HEISE RD  
RIRIE, ID 83443

SOURCE: KELLY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.42 CFS

PRIORITY DATE: 10/21/1899

POINT OF DIVERSION: T04N R41E S32 LOT 2 (NESESW) Within Jefferson County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.42 CFS |

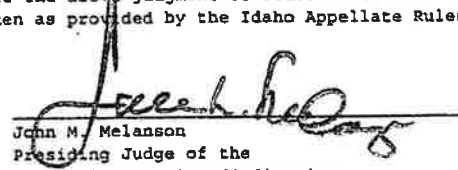
PLACE OF USE: Irrigation Within Bonneville County  
T03N R41E S05 LOT 5 (NENW) 11.0  
T04N R41E S32 LOT 2 (SESW) 10.0  
21.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication