

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 09 2021
Department 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?
25-13234 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John Wheeler / Cassie Wheeler Grover
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): FOSTER COMPANY
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- PO Box 626 Ririe ID 83443
Mailing address City State ZIP
- 208-538-5170 Vista Valley Ag@gmail.com
Telephone 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: Sept 11, 2015
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.
8. Signature: [Signature] Business Manager, Foster Co 2/9/2021
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 2/9/2021 Receipt No. E046620 Receipt Amt. \$25. - for this app. \$50. -

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 [Signature] Processed by [Signature] Date 2/12/2021

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Instrument # 1507303

IDAHO FALLS, BONNEVILLE, IDAHO

2015-09-15 04:59:48 PM No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE - IDAHO F

RONALD LONGMORE

Fee: \$13.00

Ex-Officio Recorder Deputy LSpoklie

Index To: DEED WARRANTY

Electronically Recorded by Simplifile

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

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 561520-RI (ss)

Date: September 11, 2015

For Value Received, **Cassie Wheeler Grover as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Foster Company, an Idaho General Partnership**, hereinafter called the Grantee, whose current address is **PO Box 626, Ririe, ID 83443**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

THAT PORTION OF THE NORTHEAST QUARTER NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 40, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, LYING EAST OF THE FOLLOWING DESCRIBED EAST RIGHT-OF-WAY LINE OF BIRCH CREEK ROAD AND SOUTH OF THE HIGHWAY RIGHT OF WAY.

BEGINNING AT CENTERLINE STATION 934+48 OF STATE HIGHWAY 26, FA PROJECT NO. F 6501 (7) AND HAVING A BEARING OF SOUTH 83°27'08" EAST SAID POINT IS NORTH 89°48'31" WEST 1143.73 FEET AND SOUTH 00°07'27" WEST 60.10 FEET FROM THE NORTH QUARTER CORNER OF SECTION 11; THENCE SOUTH 18°50'34" WEST 61.41 FEET TO THE SOUTH HIGHWAY RIGHT-OF-WAY LINE AND THE TRUE POINT OF BEGINNING, AND CONTINUING THENCE SOUTH 18°50'34" WEST 245.10 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF THE BIRCH CREEK ROAD; THENCE SOUTH 89°48'31" EAST 169.17 FEET; THENCE NORTH 00°07'27" EAST 222.15 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 26; THENCE NORTH 83°27'08" WEST 91.08 FEET ALONG SAID RIGHT-OF-WAY TO THE TRUE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442



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TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

X Cassie Wheeler Grover
Cassie Wheeler Grover

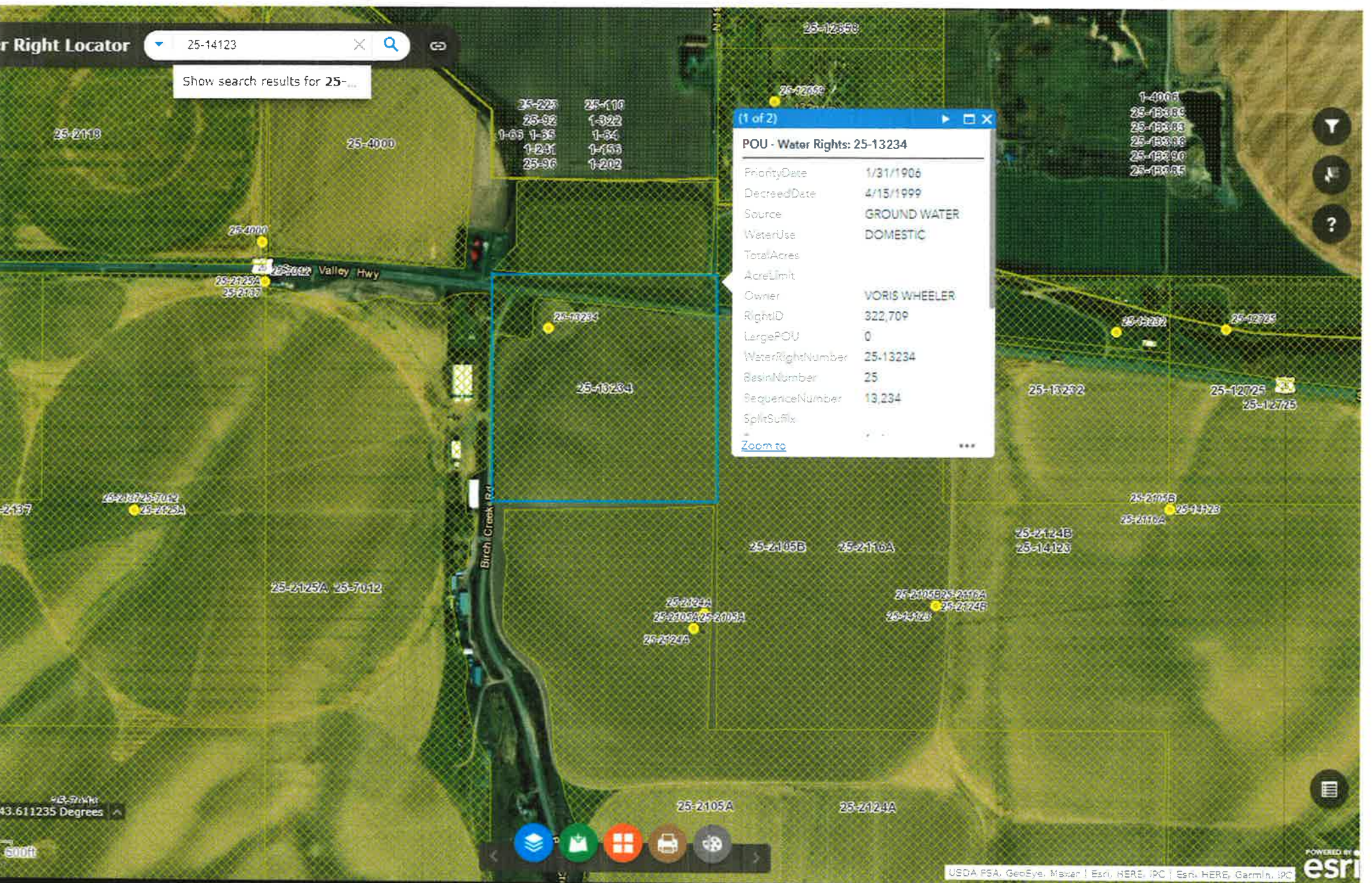
STATE OF Alaska)
COUNTY OF Anchorage)
SS.

On this 12th day of **September, 2015**, before me, a Notary Public in and for said State, personally appeared **Cassie Wheeler Grover**, known or identified to me 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.



[Signature]
Notary Public for the State of Alaska
Residing at: Anchorage, Alaska
My Commission Expires: 11/05/2016

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Notary





IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

2/5/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 25-13234

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN A WHEELER 144 10 N 160 E RIGBY, ID 83442 2085387463
Current Owner	VORIS WHEELER 577 SWAN VALLEY HWY RIRIE, ID 83443 2085387463

Priority Date: 02/01/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNENW|Sec. 11|Township 03N|Range 40E|BONNEVILLE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	40E	11		NENW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP03N40E110003

Dates:

Licensed Date:

Decreed Date: 04/16/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 12, 2021

FOSTER CO
PO BOX 626
RIRIE ID 83443-0626

Re: Change in Ownership for Water Right No(s): 25-13234

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.

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)