

RECEIVED

NOV 19 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

IN THE SUPREME COURT OF THE STATE OF IDAHO

FIRST SECURITY CORPORATION, an
Idaho corporation,

Plaintiff-Appellant,

v.

BELLE RANCH, LLC, an Idaho limited
liability company; JUSTIN FLOOD
STEVENSON, ELIZABETH BRETT
STEVENSON, and RABO AGRIFINANCE,
INC.,

Defendants-Respondents.

BELLE RANCH LLC, an Idaho limited
liability company,

Plaintiff-Respondent,

v.

MOUNTAIN WEST BANK, a Division of
Glacier Bank; GBCI OTHER REAL
ESTATE, LLC,

Defendants-Respondents,

and

SOUTH COUNTY ESTATES, LLC, an
administratively dissolved Idaho limited
liability company; PENSICO TRUST
COMPANY F.B.O. RICHARD D.
FOSBURY, IRA #F01EC; PENSICO TRUST
COMPANY CUSTODIAN F.B.O., FIRST
SECURITY CORP., and DOES 1-5,
unknown persons who may claim an
interest in the subject water rights,

Defendants.

RICHARD D. FOSBURY, an individual,

Remittitur

Docket No. 46144-2018 / 46147-2018

Blaine County District Court
CV-2016-645; CV-2016-671; CV-2016-683

Plaintiff,

v.

BELLE RANCH, LLC an Idaho limited liability company; JUSTIN FLOOD STEVENSON, an individual; ELIZABETH BRETT STEVENSON, an individual; and RABO AGRIFINANCE, INC., a Delaware corporation,

Defendants-Respondents.

FIRST SECURITY CORPORATION, an Idaho corporation,

Plaintiff,

v.

BELLE RANCH, LLC, an Idaho limited liability company; JUSTIN FLOOD STEVENSON, ELIZABETH BRETT STEVENSON, and RABO AGRIFINANCE, INC.,

Defendants.

BELLE RANCH LLC, an Idaho limited liability company,

Plaintiff-Respondent,

v.

MOUNTAIN WEST BANK, a Division of Glacier Bank; GBCI OTHER REAL ESTATE, LLC,

Defendants-Respondents,

and

SOUTH COUNTY ESTATES, LLC, an administratively dissolved Idaho limited liability company; PENSCO TRUST COMPANY F.B.O. RICHARD D. FOSBURY, IRA #F01EC; FIRST

SECURITY CORP., and DOES 1-5,
unknown persons who may claim an
interest in the subject water rights,

Defendants.

RICHARD D. FOSBURY, an individual,

Plaintiff-Appellant,

v.

BELLE RANCH, LLC an Idaho limited
liability company; JUSTIN FLOOD
STEVENSON, an individual; ELIZABETH
BRETT STEVENSON, an individual; and
RABO AGRIFINANCE, INC., a Delaware
corporation,

Defendants-Respondents.

To: Fifth Judicial District, County of Blaine.

The Court having announced its Opinion in this cause October 28, 2019, which has now
become final; therefore,

IT IS HEREBY ORDERED that the district court shall forthwith comply with the directive of the
Opinion, if any action is required.

IT IS FURTHER ORDERED that Belle Ranch's costs on appeal in the amount of \$346.00 be,
and hereby are allowed.

Dated: November 19, 2019.



Karel A. Lehrman
Clerk of the Courts

11/19/2019

Skinner, Corey

From: Baxter, Garrick
Sent: Tuesday, November 19, 2019 5:07 PM
To: Skinner, Corey
Subject: FW: FSC v. Belle Ranch, et al. - Dkt. Nos. 46144-2018 & 46147-2018
Attachments: 20191119 SAM ltr to IDWR re Belle Ranch ISC Remittitur_with enclosure.pdf

Corey,

The decision in the Belle Ranch case has become final. As we discussed, the Idaho Supreme Court held that the district court did not err when it quieted title to the water rights in question (37-481C, 37-482H, 37-483C, 37-577BT, and 37-2630) to Belle Ranch, LLC. Accordingly, IDWR should update its water right records to reflect that the current owner for these water rights is Belle Ranch, LLC. Please let me know if you need additional information in order to update the Department's records.

Garrick



Garrick Baxter | Deputy Attorney General
Office of the Idaho Attorney General | Water Resources Section
Ph: (208) 287-4811 | Fax: (208) 287-6700
322 East Front Street | PO Box 83720 | Boise, ID 83720-0098

CONFIDENTIALITY NOTICE: This message, including any attachments, is for the intended recipient(s) only and may contain confidential and/or privileged information and may be legally protected from disclosure.

If you are not the intended recipient of this message or an agent of the intended recipient, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments.

From: Jessica Witt [mailto:jlw@idahowaters.com]
Sent: Tuesday, November 19, 2019 3:33 PM
To: Baxter, Garrick <Garrick.Baxter@idwr.idaho.gov>
Cc: Barker, Albert (IWRB Member) <apb@idahowaters.com>; Scott Magnuson <sam@idahowaters.com>
Subject: FSC v. Belle Ranch, et al. - Dkt. Nos. 46144-2018 & 46147-2018

Dear Mr. Baxter,

Please find attached correspondence from our office regarding the above referenced matter.

Sincerely,
Jessica

Jessica L. Witt
Legal Assistant
Barker Rosholt & Simpson LLP
1010 W. Jefferson, Suite 102
P.O. Box 2139
Boise, Idaho 83701-2139
Phone: 208.336.0700
Fax: 208.344.6034
www.idahowaters.com

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.



**Barker Rosholt
& Simpson LLP**

Scott A. Magnuson

EMAIL: sam@idahowaters.com

PHONE: 208.336.0700

WEB: idahowaters.com

Boise

1010 W. Jefferson St. Suite 102

Boise, Idaho 83702

p. 208.336.0700

f. 208.344.6034

Attorneys

John A. Rosholt

Albert P. Barker

John K. Simpson

Travis L. Thompson

Scott A. Magnuson

Jonas A. Reagan

November 19, 2019

RECEIVED

NOV 19 2019

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

Via Email only.

Garrick Baxter
Deputy Attorneys General
Idaho Department of Water Resources
Garrick.Baxter@idwr.idaho.gov

Re: *First Security Corporation v. Belle Ranch, LLC, et al.*
Supreme Court Docket Nos. 46144-2018 & 46147-2018

Dear Garrick:

Pursuant to your request, please find enclosed herewith a copy of the Idaho Supreme Court's *Remittitur* in the above referenced case. Please update IDWR's ownership records accordingly.

If you have any questions, please contact my office.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

Scott A. Magnuson

SAM/jlw
Enclosure