

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
FEB 19 2020  
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? |
|-----------------------|------------------------------|-----------------------------------------|-----------------------|------------------------------|------------------------------|
| 34-14255 <i>OK</i>    | Yes <input type="checkbox"/> | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 34-14257 <i>OK</i>    | Yes <input type="checkbox"/> | Yes <input checked="" 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"/> | 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: JAMES E POULTER

Name of current water right holder/claimant

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

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

P.O. box 602

Mailing address

more

City

ID

State

83255

ZIP

208 760 9856

Telephone

B. Schuster 4284@gmail.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.

8. Signature: [Signature] Title, if applicable: \_\_\_\_\_ Date: 1/29/20

Signature of new owner/claimant

Signature: \_\_\_\_\_ Title, if applicable: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of new owner/claimant

**For IDWR Office Use Only:**

Received by CH Date 2/19/2020 Receipt No. E 045647 Receipt Amt. \$50.00

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 JB Processed by JB Date 2/19/20

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
168 West Pacific Street/PO Box 868  
Blackfoot, ID 83221

**BUTTE COUNTY**  
Recorded for:  
First American Title - Blackfo  
02:49:15 PM 06-14-2019  
**0000-057215**  
No. Pages: 4 Fee: \$15.00  
**SHELLY SHAFFER**  
County Clerk  
Deputy: KG

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **732200-B (vb)**

Date: **June 12, 2019**

For Value Received, **James E. Poulter, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Benjamin Schuster, an unmarried man**, hereinafter called the Grantee, whose current address is **3302 W 3400 N, Moore, ID 83255**, the following described premises, situated in **Butte County, Idaho**, to-wit:

**Parcel 1:**

**Part of the W½ of Section 10 and the SE¼ of Section 9, lying West of the center line of the Big Lost River, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, more particularly described as follows:**

**Beginning at a point on the East line of said Section 9, point being N. 00°42'15" W., 1,371.99 feet along said East line from the Southeast corner of said Section 9, running thence S. 89°04'40" W., 83.53 feet; thence N. 02°14'20" W., 1,288.10 feet to the East-West center section line of said Section 9; thence along said East-West line S. 89°56'15" E., 118.03 feet to the ¼ corner common to Sections 9 and 10; thence along the East line common to Sections 9 and 10, N. 00°42'09" W., 426.68 feet to the center line of the Big Lost River;**

**thence along said center line the following eighty-four (84) courses;**

- (1) N. 60°52'17" E., 28.63 feet (2) thence N. 44°21'25" E., 32.45 feet;  
(3) thence N. 09°05'23" E., 26.70 feet; (4) thence N. 04°52'49" E., 31.36 feet;  
(5) thence N. 06°16'17" W., 43.50 feet; (6) thence N. 09°05'24" W., 40.04 feet;  
(7) thence N. 05°43'04" W., 31.79 feet; (8) thence N. 18°35'09" E., 51.70 feet;  
(9) thence N. 49°14'23" E., 63.06 feet; (10) thence N. 60°39'14" E., 32.88 feet;  
(11) thence N. 81°58'46" E., 47.03 feet; (12) thence N. 81°57'01" E., 63.92 feet;  
(13) thence N. 88°30'40" E., 47.36 feet; (14) thence S. 79°08'27" E., 60.18 feet;  
(15) thence S. 83°39'45" E., 43.25 feet; (16) thence N. 67°13'47" E., 32.38 feet;  
(17) thence N. 73°42'45" E., 40.43 feet; (18) thence S. 73°01'07" E., 22.48 feet;  
(19) thence N. 62°30'09" E., 38.59 feet; (20) thence S. 81°08'27" E., 65.86 feet;  
(21) thence S. 80°37'42" E., 65.96 feet; (22) thence S. 48°01'39" E., 32.12 feet;  
(23) thence S. 39°42'11" E., 36.45 feet; (24) thence S. 01°39'09" E., 62.08 feet;  
(25) thence S. 29°29'21" W., 51.04 feet; (26) thence S. 67°23'43" W., 23.29 feet;  
(27) thence S. 69°35'53" W., 27.39 feet; (28) thence S. 26°34'46" W., 25.35 feet;  
(29) thence N. 74°44'57" W., 13.61 feet; (30) thence N. 84°11'57" W., 35.41 feet;  
(31) thence S. 34°27'18" W., 50.65 feet; (32) thence S. 17°37'25" W., 39.45 feet;  
(33) thence S. 13°52'05" W., 67.75 feet; (34) thence S. 26°11'17" W., 71.02 feet;  
(35) thence S. 53°59'13" W., 44.09 feet; (36) thence S. 06°04'39" E., 51.06 feet;  
(37) thence S. 39°49'10" E., 42.19 feet; (38) thence S 31°29'29" E., 62.07 feet;

RECORDING REQUESTED BY  
First American Title Company

AND WHEN RECORDED MAIL TO:  
First American Title Company  
168 West Pacific Street/PO Box 868  
Blackfoot, ID 83221

E-RECORDED

simplifile®

ID: 57215

County: Butte

Date: 6-14-19

Time: 2:49pm

Space Above This Line for Recorder's Use Only

## WARRANTY DEED

File No.: 732200-B (vb)

Date: June 12, 2019

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### Parcel 1:

Part of the W½ of Section 10 and the SE¼ of Section 9, lying West of the center line of the Big Lost River, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, more particularly described as follows:

Beginning at a point on the East line of said Section 9, point being N. 00°42'15" W., 1,371.99 feet along said East line from the Southeast corner of said Section 9, running thence S. 89°04'40" W., 83.53 feet; thence N. 02°14'20" W., 1,288.10 feet to the East-West center section line of said Section 9; thence along said East-West line S. 89°56'15" E., 118.03 feet to the ¼ corner common to Sections 9 and 10;

thence along the East line common to Sections 9 and 10, N. 00°42'09" W., 426.68 feet to the center line of the Big Lost River;

thence along said center line the following eighty-four (84) courses;

- (1) N. 60°52'17" E., 28.63 feet
- (2) thence N. 44°21'25" E., 32.45 feet;
- (3) thence N. 09°05'23" E., 26.70 feet;
- (4) thence N. 04°52'49" E., 31.36 feet;
- (5) thence N. 06°16'17" W., 43.50 feet;
- (6) thence N. 09°05'24" W., 40.04 feet;
- (7) thence N. 05°43'04" W., 31.79 feet;
- (8) thence N. 18°35'09" E., 51.70 feet;
- (9) thence N. 49°14'23" E., 63.06 feet;
- (10) thence N. 60°39'14" E., 32.88 feet;
- (11) thence N. 81°58'46" E., 47.03 feet;
- (12) thence N. 81°57'01" E., 63.92 feet;
- (13) thence N. 88°30'40" E., 47.36 feet;
- (14) thence S. 79°08'27" E., 60.18 feet;
- (15) thence S. 83°39'45" E., 43.25 feet;
- (16) thence N. 67°13'47" E., 32.38 feet;
- (17) thence N. 73°42'45" E., 40.43 feet;
- (18) thence S. 73°01'07" E., 22.48 feet;
- (19) thence N. 62°30'09" E., 38.59 feet;
- (20) thence S. 81°08'27" E., 65.86 feet;
- (21) thence S. 80°37'42" E., 65.96 feet;
- (22) thence S. 48°01'39" E., 32.12 feet;
- (23) thence S. 39°42'11" E., 36.45 feet;
- (24) thence S. 01°39'09" E., 62.08 feet;
- (25) thence S. 29°29'21" W., 51.04 feet;
- (26) thence S. 67°23'43" W., 23.29 feet;
- (27) thence S. 69°35'53" W., 27.39 feet;
- (28) thence S. 26°34'46" W., 25.35 feet;
- (29) thence N. 74°44'57" W., 13.61 feet;
- (30) thence N. 84°11'57" W., 35.41 feet;
- (31) thence S. 34°27'18" W., 50.65 feet;
- (32) thence S. 17°37'25" W., 39.45 feet;
- (33) thence S. 13°52'05" W., 67.75 feet;
- (34) thence S. 26°11'17" W., 71.02 feet;
- (35) thence S. 53°59'13" W., 44.09 feet;
- (36) thence S. 06°04'39" E., 51.06 feet;
- (37) thence S. 39°49'10" E., 42.19 feet;
- (38) thence S 31°29'29" E., 62.07 feet;

(39) thence S. 74°12'20" E., 59.53 feet; (40) thence N. 89°06'20" E., 69.18 feet;  
(41) thence N. 55°45'56" E., 61.44 feet; (42) thence N. 37°38'27" E., 65.48 feet;  
(43) thence N. 42°43'33" E., 95.58 feet; (44) thence N. 50°55'18" E., 44.55 feet;  
(45) thence S. 87°20'22" E., 46.53 feet; (46) thence S. 66°48'41" E., 57.61 feet;  
(47) thence S. 60°05'08" E., 41.15 feet; (48) thence S. 30°16'05" E., 60.03 feet;  
(49) thence S. 28°27'04" W., 29.49 feet; (50) thence S. 62°42'48" W., 37.70 feet;  
(51) thence S. 19°32'49" W., 71.07 feet; (52) thence S. 25°59'13" W., 93.73 feet;  
(53) thence S. 43°00'12" W., 107.05 feet; (54) thence S. 37°35'10" W., 66.86 feet;  
(55) thence S. 49°35'32" W., 89.77 feet; (56) thence N. 55°43'43" W., 67.39 feet;  
(57) thence N. 83°31'38" W., 88.62 feet; (58) thence N. 51°35'58" W., 47.64 feet;  
(59) thence S. 63°27'03" W., 48.93 feet; (60) thence S. 78°12'14" W., 88.12 feet;  
(61) thence S. 49°24'00" W., 87.48 feet; (62) thence S. 02°45'37" E., 121.00 feet;  
(63) thence S. 41°26'34" E., 33.02 feet; (64) thence S. 55°51'24" E., 98.59 feet;  
(65) thence S. 18°45'10" W., 86.12 feet; (66) thence S. 28°21'10" W., 147.26 feet;  
(67) thence S. 28°14'15" W., 141.74 feet; (68) thence S. 01°58'18" W., 101.57 feet;  
(69) thence S. 67°50'38" E., 26.78 feet; (70) thence N. 67°08'18" E., 63.80 feet;  
(71) thence S. 57°32'55" E., 23.95 feet; (72) thence S. 19°43'05" E., 65.33 feet;  
(73) thence S. 15°29'18" W., 61.92 feet; (74) thence S. 31°11'57" W., 81.56 feet;  
(75) thence S. 34°12'09" W., 77.91 feet; (76) thence S. 70°27'34" W., 65.19 feet;  
(77) thence N. 50°59'07" W., 27.35 feet; (78) thence N. 88°23'17" W., 40.78 feet;  
(79) thence S. 58°15'25" W., 56.71 feet; (80) thence S. 30°18'43" W., 59.16 feet;  
(81) thence S. 03°37'24" E., 45.42 feet; (82) thence S. 32°12'35" W., 18.31 feet;  
(83) thence S. 24°26'34" W., 78.42 feet; (84) thence S. 10°33'16" W., 42.88 feet;  
thence S. 89°04'40" W., 9.58 feet to the Point of Beginning.

**Parcel 2:**

Together with a 20.00 foot wide Ingress-Egress Easement;  
Part of Section 9, Township 5 North, Range 26 E.B.M., Butte County, Idaho, described as:  
Beginning at a point on the South line of said Section 9, point being N. 89°51'22" W.,  
1198.47 feet from the Southeast corner of said Section;  
running thence N. 05°50'00" E., 397.75 feet; thence N. 23°36'37" E., 97.77 feet;  
thence N. 29°00'56" E., 104.82 feet; thence N. 01°02'19" E., 573.06 feet;  
thence N. 06°12'22" E., 121.87 feet; thence N. 27°40'06" W., 48.70 feet;  
thence N. 45°09'42" W., 24.55 feet; thence N. 89°03'23" E. 975.03 feet;  
thence N. 65°29'06" E., 15.07 feet; thence S. 89°06'30" W., 20.00 feet; thence S. 89°03'23"  
W., 1,020.03 feet; thence S. 84°07'35" W., 25.55 feet;  
thence S. 18°13'35" E., 20.47 feet; thence N. 84°07'35" E. 20.31 feet;  
thence N. 89°03'23" E., 16.73 feet; thence S. 45°09'42" E., 40.94 feet;  
thence S. 27°40'06" E. 39.54 feet; thence S. 06°12'22" E., 116.69 feet;  
thence S. 01°02'19" W., 568.98 feet; thence S. 29°00'56" W., 100.78 feet;  
thence S. 23°36'37" W., 101.85 feet; thence S. 05°50'00" W., 402.87 feet to the South line of  
said Section 9;  
thence along said South line S. 89°51'22" E., 20.10 feet to the 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.

Date: 06/12/2019

Warranty Deed  
- continued

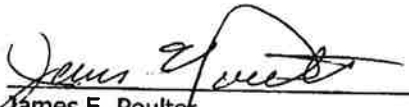
File No.: 732200-B (vb)

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.

Date: 06/12/2019

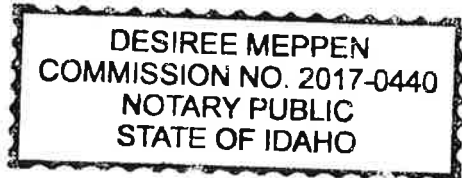
Warranty Deed  
- continued

File No.: 732200-B (vb)

  
James E. Poulter

STATE OF Idaho )  
COUNTY OF Bonneville )  
ss.

On this 14<sup>th</sup> day of June, 2019, before me, a Notary Public in and for said State, personally appeared **James E. Poulter**, 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.



  
Notary Public for the State of Idaho  
Residing at: Idaho Falls  
My Commission Expires: 9.5.2023

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/29/2020

**Water Right 34-14255**

| <u>Owner Type</u> | <u>Name</u>      |
|-------------------|------------------|
| Current Owner     | JAMES E POULTER  |
| Previous Owner    | SANDRA L DAMIANA |
| Previous Owner    | RANDAL G DAMIANA |
| Previous Owner    | JR N CC INC      |

Priority Date: 7/5/1960

Basis: Decreed

Status: Active

Water Supply Bank 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> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 10/31     | 0.200 CFS             | 34.3 AF       |
|                       | <u>Total Diversion</u> |           | 0.200 CFS             | 34.3 AF       |

Source and Point(s) of Diversion

|              |        |                                         |
|--------------|--------|-----------------------------------------|
| GROUND WATER | NWNENE | Sec. 9, Twp 05N, Rge 26E, BUTTE County  |
| GROUND WATER | NWNENW | Sec. 10, Twp 05N, Rge 26E, BUTTE County |
| GROUND WATER | NESW   | Sec. 10, Twp 05N, Rge 26E, BUTTE County |
| GROUND WATER | NWSW   | Sec. 10, Twp 05N, Rge 26E, BUTTE County |
| GROUND WATER | NENWSW | Sec. 10, Twp 05N, Rge 26E, BUTTE County |
| GROUND WATER | NWNWSW | Sec. 10, Twp 05N, Rge 26E, BUTTE County |

Place Of Use

IRRIGATION within BUTTE County

|               |                   |      |
|---------------|-------------------|------|
| T05N R26E S9  | NESE              | 4.0  |
| T05N R26E S10 | SWNW              | 2.0  |
| T05N R26E S10 | NWSW              | 12.0 |
|               | Right Acre Limit: | 9.8  |
|               | POU Total Acres:  | 18.0 |

Conditions of Approval:

1. Rights 34-14255 and 34-14257 when combined shall not exceed the irrigation of 18 acres.
2. X27 This right is limited to the irrigation of 9.8 acres within the place of use described above in a single irrigation season.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 34, Big Lost River.
4. The combined diversion rate limit described in this right does not apply to the delivery of storage water to the place of use described in this right by the Big Lost River Irrigation District.
5. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

1/29/2020

6. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-14255 and 34-14257 shall not exceed 0.37 cfs, nor a total combined annual volume of 63 af.

**Combined Use Limits**

| <u>Rate</u>        | <u>Volume</u> | <u>Acres</u> |
|--------------------|---------------|--------------|
| 0.370              | 63.0          | 18.0         |
| 34-14255 ,34-14257 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

Lessor Name: JAMES E POULTER  
Lease Status: Active  
Lease Amount: 34.3  
Rental Availability: 34.3  
Date Received: 3/31/2014  
Lease Begin Date: 3/31/2014  
Expiration Date: 12/31/2018

## 1/29/2020

|                                                |                    |
|------------------------------------------------|--------------------|
| <b><u>Owner Type</u></b>                       | <b><u>Name</u></b> |
| Current Owner                                  | JAMES E POULTER    |
| Previous Owner                                 | SANDRA L DAMIANA   |
| Previous Owner                                 | RANDAL G DAMIANA   |
| Previous Owner                                 | JR N CC INC        |
| <b><u>Priority Date:</u> 4/10/1961</b>         |                    |
| <b><u>Basis:</u> Deceerd</b>                   |                    |
| <b><u>Status:</u> Active</b>                   |                    |
| <b><u>Water Supply Bank Status:</u> Active</b> |                    |

### Tributary

**Source and Point(s) of Diversion**

|              |        |                            |              |
|--------------|--------|----------------------------|--------------|
| GROUND WATER | NWNENE | Sec. 9, Twp 05N, Rge 26E,  | BUTTE County |
| GROUND WATER | NWNENW | Sec. 10, Twp 05N, Rge 26E, | BUTTE County |
| GROUND WATER | NESW   | Sec. 10, Twp 05N, Rge 26E, | BUTTE County |
| GROUND WATER | NWSW   | Sec. 10, Twp 05N, Rge 26E, | BUTTE County |
| GROUND WATER | NENWSW | Sec. 10, Twp 05N, Rge 26E, | BUTTE County |
| GROUND WATER | NWNWSW | Sec. 10, Twp 05N, Rge 26E, | BUTTE County |

### IRRIGATION within BUTTE County

|               |                   |      |
|---------------|-------------------|------|
| T05N R26E S9  | NESE              | 4.0  |
| T05N R26E S10 | SWNW              | 2.0  |
| T05N R26E S10 | NWSW              | 12.0 |
|               | Right Acre Limit: | 8.5  |
|               | POU Total Acres:  | 18.0 |

|    |     |                                                                                                                                                                                                                                                                                                                |
|----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | T07 | The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.                                                                                                                                                                                     |
| 2. | T18 | Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster. |
| 3. |     | The combined diversion rate limit described in this right does not apply to the delivery of storage water to the place of use described in this right by the Big Lost River Irrigation District.                                                                                                               |
| 4. | 065 | The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.                   |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/29/2020

5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 34, Big Lost River.
9. Rights 34-14255 and 34-14257 when combined shall not exceed the irrigation of 18 acres.
10. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-14255 and 34-14257 shall not exceed 0.37 cfs, nor a total combined annual volume of 63 af.
11. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
13. X27 This right is limited to the irrigation of 8.5 acres within the place of use described above in a single irrigation season.

Combined Use Limits

| <u>Rate</u>        | <u>Volume</u> | <u>Acres</u> |
|--------------------|---------------|--------------|
| 0.370              | 63.0          | 18.0         |
| 34-14255 ,34-14257 |               |              |

SubCase:

N/A

Water Supply Bank:

Lessor Name: JAMES E POULTER

Lease Status: Active

Lease Amount: 29.7

Rental Availability: 29.7

Date Received: 3/31/2014

Lease Begin Date: 3/31/2014

Expiration Date: 12/31/2018



**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

February 19, 2020

BENJAMIN SCHUSTER  
PO BOX 602  
MOORE ID 83255-0602

Re: Change in Ownership for Water Right No(s): 34-14255 and 34-14257

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)

cc: Big Lost River Ground Water District  
Water Supply Bank (State Office)