

RECEIVED

NOV 21 2018

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
35-11816	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2075B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____

Name of current water right holder/claimant

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

The Scoular Company

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

P.O. Box 60

American Falls

ID

83211

Mailing address

City

State

ZIP

(208) 233-2434

jjay@scoular.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: _____

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):

o \$25 per *undivided* water right.

o \$100 per *split* water right.

o 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 # 35-2075B

8. Signature: [Signature] - The Scoular Co.

Signature of new owner/claimant

Manager

Title, if applicable

11/14/2018

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature] Date 11-21-18Receipt No. C105898Receipt Amt. 50Active 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 [Signature]Date 2-4-19

RETURN TO:
First American Title Insurance Co.
801 Nicollet Mall, Suite 1900
Minneapolis, MN 55402

NCS 689783 MPLS (KK/CK)

Instrument # 666336

BINGHAM COUNTY

4-13-2015 03:51:01 PM No. of Pages: 2

Recorded for : 1724133882 FIRST AMERICAN TITLE

PAMELA W. ECKHARDT Fee: 13.00

Ex-Officio Recorder Deputy

WARRANTY DEED

FOR VALUE RECEIVED, Poulson Farms, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto The Scoular Company, a Nebraska corporation, the Grantee, whose current address is 2027 Dodge Street, Omaha, NE 68102, the following described premises, in Bingham County, Idaho, 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, heirs and assigns forever, reserving unto Grantor all water rights and entitlements except as expressly described in Exhibit A. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 8th, 2015

Poulson Farms, LLC

By [Signature]
Its: Manager
Name: Kasey Poulson

STATE OF IDAHO)
: ss
County of Bannock)

On this 8th day of April 2015, before me Lane V. Erickson, a notary public, personally appeared KASEY POULSON known or identified to me to be the Manager of POULSON FARMS, LLC, the Idaho limited liability company that executed the instrument or the person who executed the instrument on behalf of said company and acknowledged to me that such company executed the same.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Locatello, ID
Commission expires: 10/22/2020

Exhibit A

Parcel A

Part of the Southeast ¼ Section 22 Township 5 South Range 31 East B.M. Bingham County, Idaho described as:

Commencing at the SE corner of Section 22; thence N 89°51'50" W 993.54 feet along the section line; thence N 00°08'10" E 25.00 feet to the intersection of the northerly right of way line of a county road (1600 S) and the westerly right of way line of the Aberdeen Branch of the Salmon River Rail Road and the point of beginning.

Thence N 89°51'50" W 1155.00 feet along said northerly county road right of way, parallel to the section line; thence N 00°08'10" E 126.08 feet to a point of non-tangent curve whose center bears N 26°07'54" E 752.00 feet; thence southeasterly 341.19 feet along said curve to the left; Curve Data: Delta = 25°59'44"; Radius = 752.00 feet; Chord Bearing S 76°51'58" E 338.27 feet; thence S 89°51'50" E 435.00 feet; thence; N 72°42'26" E 564.00 feet; thence N 38°29'06" E 1151.19 feet along a line that is 20 feet northwest and parallel to the northwest right of way line of said Rail Road to a point of non-tangent curve, whose center bears N 68°25'16" W 752.00 feet; thence northeasterly 281.19 feet along said curve to the left; Curve Data: Delta = 21°25'27"; Radius = 752.00 feet; Chord Bearing N 10°52'01" E 279.55 feet; thence N 00°09'17" E 423.93 feet to a point of curve; thence northwesterly 236.80 feet along said curve to the left; Curve Data: Delta = 18°02'32"; Radius = 752.00 feet; Chord Bearing N 08°51'59" W 235.82 feet; thence S 90°00'00" E 86.98 feet to a point on the westerly right of way line of County Road 2600 W; thence S 00°09'17" W 835.03 feet along said right of way line, parallel to the east line of said Section 22 to the intersection of said westerly right of way line of 2600 W county road and the northwest right of way line of the Aberdeen Branch of the Salmon River Rail Road; thence S 38°29'06" W 1553.63 feet along said right of way line to the point of beginning.

TOGETHER WITH all appurtenances, including without limitation: all water and water rights and all other entitlements to receive water for any beneficial use upon the premises, including without limitation all rights and entitlements represented by any decree, license, permit, claim, permit application or storage entitlement, including all portions of decreed water rights currently numbered 35-2075B and 35-11816 in the records of the Idaho Department of Water Resources; and all ditch rights, easements and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights or entitlements appurtenant to or associated with such real property.

Parcel B:

Part of the Southeast ¼ Section 22 Township 5 South Range 31 East B.M. Bingham County, Idaho described as:

Commencing at the SE corner of Section 22; thence N 89°51'50" W 30.00 feet along the section line; thence N 00°09'17" E 25.00 feet to the intersection of the north right of way line of county road (1600 S) and the west right of way line of (2600 W) county road and the Point of Beginning; Thence N 89°51'50" W 836.04 feet along the north right of way line of county road (1600 S) said line being 25 feet north of and parallel to the South line of said Section 22 to the intersection of said right of way line and the southeast right of way of the Aberdeen Branch of the Salmon River Rail Road; thence N 38°29'06" E 1348.03 feet along the southeast right of way line of the Aberdeen Branch of the Salmon River Rail Road to the intersection of said right of way line and the west right of way line of (2600 W) county road; thence S 00°09'17" W 1057.19 feet along said west right of way line; said line being 30 feet west of and parallel with the east line of said Section 22; to the Point of Beginning.

~~AFTER RECORDING MAIL TO:~~
The Scoular Company
2027 Dodge Street
Omaha, NE 68102

Instrument # 666337

BINGHAM COUNTY

4-13-2015 03:57:37 PM No. of Pages: 1

Recorded for : 1724133882 FIRST AMERICAN TITLE

PAMELA W. ECKHARDT

Fee: 10.00

Ex-Officio Recorder Deputy

RETURN TO:
First American Title Insurance Co.
801 Nicollet Mall, Suite 1900
Minneapolis, MN 55402

NCS 689783 MPLS (KKKK)

(3)

QUIT CLAIM DEED

Grantor: collectively, Kasey Poulson, an individual and Poulson Farms, LLC, an Idaho limited liability company

Grantee: The Scoular Company

Abbreviated Legal: A part of the Southeast ¼ Section 22 Township 5 South Range 31 East B.M. Bingham County, Idaho

Assessor's Tax Parcel Number(s): RP0044500 (this and add'l property)

THE Grantor for and in consideration of **\$10.00** conveys and quit claims to **the Grantee** the following described real estate, situated in the County of **Bingham** State of Idaho, together with all after acquired title of the Grantor therein:

All rights to land reserved for the benefit of the grantors in that certain deed to J.S. Vanderford, recorded February 23, 1950, as Instrument No. 14198, Book 76 of Deeds, Page 140.

Dated: April 7, 2015


Kasey Poulson

Poulson Farms, LLC

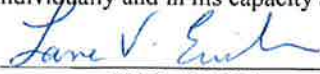
By 
Its: Manager
Name: Kasey Poulson

STATE OF IDAHO)
: ss
County of Bannock)

On this 8th day of April 2015, before me Lane V. Erickson, a notary public, personally appeared KASEY POULSON known or identified to me to be the Manager of POULSON FARMS, LLC, the Idaho limited liability company that executed the instrument or the person who executed the instrument on behalf of said company and acknowledged to me that he executed said document individually and in his capacity as manager of such company.

(SEAL)




NOTARY PUBLIC FOR IDAHO
Residing at: Locatello, ID
Commission expires: 10/27/2020



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 04, 2019

THE SCOULAR COMPANY
PO BOX 60
AMERICAN FALLS ID 83211-0060

Re: Change in Ownership for Water Right No(s): 35-2075B, 35-11816

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Water District No. 120

Hersley, Jean

From: Jon Jay <JJay@scoular.com>
Sent: Tuesday, November 27, 2018 3:34 PM
To: Hersley, Jean
Subject: RE: Change in Ownership Water Right No(s): 35-2075B & 35-11816
Attachments: Recorded Quit Claim Deed.pdf; Recorded Warranty Deed.pdf

Jean,

Please let me know if you need anything documentation than what is attached. Thanks,

Jon M. Jay

2104 Elevator Loop | Pocatello, ID 83204
Office: (208) 233-2434 | Cell: (208) 240-0339
www.idaho.scoular.com



From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Tuesday, November 27, 2018 3:07 PM
To: Jon Jay <JJay@scoular.com>
Subject: Change in Ownership Water Right No(s): 35-2075B & 35-11816

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

☒ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed. You may provide the documents by responding to this email, fax to (208) 287-6700 or mail to: IDWR, PO Box 83720, Boise, ID, 83720-0098.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Idaho Dept Water Resources

