

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 20 2016
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?
37-8856	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: HEATH-MARSHALL, INC.

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ANDERSON ASPHALT PAVING, INC.

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

PO BOX 759

Mailing address

208-788-4728

Telephone

HAILEY

City

ANDERSONASPHALT@svskylan.net

Email

ID

State

83333

ZIP

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: 4- 2001
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]

Signature of new owner/claimant

[Signature]

Title, if applicable

1-18-16

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature] Date 1-20-16

Receipt No. 0101439

Receipt Amt. \$100.00

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 _____

Processed by _____

Date _____

RECEIVED

JUN 20 2016

DEPARTMENT OF
WATER RESOURCES

INDUSTRIAL WATER WELL AGREEMENT

AGREEMENT MADE AND EXECUTED THIS _____ DAY OF APRIL 1997, BY AND BETWEEN THE FOLLOWING PARTIES, TO WIT:

FIRST PARTY: HEATH-MARSHALL, INC., AN IDAHO CORPORATION,
P.O. BOX 250, POCATELLO, ID., 83204. C/O GLEN S. MARSHALL,
SEC/TREAS.

SECOND PARTY: LARRY ANDERSON DBA ANDERSON ASPHALT PAVING CO.
P.O. BOX 759, HAILEY, ID., 83333.

THIRD PARTY: DAVID Z. WALTERS AND CHARLENE E. WALTERS,
HUSBAND AND WIFE, 1988 MEADOWVIEW AVE, P.O. BOX 390,
REXBURG, ID., 83440.

WHEREAS, THE FIRST PARTY IS THE OWNER AND DEVELOPER OF LOT ONE (1) OF 'AGGREGATE ACRES' A SUBDIVISION OF BLAINE COUNTY, IDAHO, CONTAINING 158.45 ACRES OF LAND. THE FIRST PARTY HAS RETAINED SAWTOOTH ENGINEERS, OF HAILEY, ID. TO RESURVEY THE LAND AND PREPARE A 'REPLAT OF LOT ONE (1)', A COPY OF WHICH IS HELD BY ALL THREE PARTIES. THE FIRST PARTY INTENDS TO PRESENT THE REPLAT TO THE BLAINE COUNTY GOVERNMENT FOR APPROVAL AND RECORDING.

WHEREAS: AT THE TIME OF THE EXECUTION OF THIS AGREEMENT THE FIRST PARTY IS THE SOLE OWNER OF ALL LOTS CONTAINED IN THE 'REPLAT OF LOT ONE (1)'. HOWEVER, SECOND PARTY HOLDS A LEASE OF LOT 1B (CONTAINING 45.29 ACRES) WITH A FIRST RIGHT OF REFUSAL TO PURCHASE SAME. ALSO, THIRD PARTY HOLDS A LEASE OF LOT 1C (CONTAINING 12 ACRES) WITH AN OPTION TO PURCHASE SAME UPON COMPLETION AND RECORDING OF THE 'REPLAT OF LOT ONE (1)'.

WHEREAS: THE FIRST PARTY HAS APPLIED TO IDAHO WATER RESOURCES BOARD, AND RECEIVED 'PERMIT TO APPROPRIATE WATER' NO. 37-08856, (EXHIBIT 'A'). THE THREE PARTIES TO THIS AGREEMENT HEREBY AGREE TO LOCATE THE WELL UPON AN EASEMENT ON LOT 1A AND ADJACENT TO LOT 1C WITH ACCESS TO LOT 1B (ALONG SUCH EASEMENT) AT AN EXACT LOCATION TO BE SET BY SAWTOOTH ENGINEERS.

WHEREAS: EACH PARTY WILL PAY ONE-THIRD OF THE COST OF OBTAINING THE PERMIT, INCLUDING LEGAL FEES. THE CONSTRUCTION OF ONE INDUSTRIAL WELL, 10" CASING 130 FEET, SURFACE SEAL OVERBORE & BENTONITE, 10" BAKER, PERFORATION & DEVELOPING COSTS, ELECTRIC WIRING SERVICES & EQUIPMENT, A SUBMERGIBLE PUMP AND PIPING OF ADEQUATE SIZE AND CAPACITY TO PRODUCE THE NEEDED WATER FLOW FOR EACH PARTY. THE ESTIMATED

1991 TOTAL APPROXIMATELY THIRTY THOUSAND DOLLARS (\$30,000). THE ATTACHED EXHIBITS B,C,D,&E REPRESENT THE PROJECTED COST. THEREFORE, EACH PARTY AGREES TO PAY APPROXIMATELY TEN THOUSAND DOLLARS (\$10,000.) UPON THE COMPLETION OF THE WELL CONSTRUCTION, AND PRIOR TO CONNECTING TO THE WELL AND/OR RECEIVING ANY WATER THEREFROM. THE ABOVE REFERENCED PERMIT PROVIDES FOR A LIMITED NUMBER OF GALLONS THAT CAN BE PUMPED EACH DAY (24 HOUR PERIOD) FROM THE UNDERGROUND SOURCE.. THE PARTIES AGREE THAT A WATER METER (AT EACH PARTIES' OWN COST AND EXPENSE) WILL BE ATTACHED TO EACH OF THE THREE WATER LINES SERVING THE PARTIES, AT THE WELL HEAD. THE ELECTRIC POWER, WELL AND EQUIPMENT MAINTENANCE, AND EVERY AND ALL EXPENSES AND COSTS TO OPERATE THE WELL SYSTEM WILL BE PAID BY EACH PARTY IN THE SAME PROPORTION AS THE GALLONS OF WATER USED BY EACH PARTY BEARS TO THE TOTAL WATER TAKEN FROM THE WELL. FURTHER, EACH PARTY AGREES TO PROVIDE, INSTALL, AND MAINTAIN THEIR OWN WATER LINE FROM THE WELL TO THEIR POINT OF USE UPON THEIR OWN PREMISES.

WHEREAS, THIS AGREEMENT IS SPECIFICALLY INTENDED TO RUN WITH THE LAND ABOVE DESCRIBED, AND THE PARTIES HERETO SO COVENANT AND AGREE. THIS AGREEMENT CANNOT BE CHANGED, ALTERED, VARIED, OR MODIFIED WITHOUT A WRITTEN AMENDMENT OR NOTIFICATION EXECUTED BY ALL OF THE RECORD OWNERS OF THE LOTS.

THIS AGREEMENT SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, PERSONAL REPRESENTATIVES, ASSIGNS AND SUCCESSORS OF THE RECORD OWNERS OF ANY OF THE REAL PROPERTY LOTS AS DESCRIBED ABOVE.

IN WITNESS WHEREOF, THE PARTIES HAVE SET THEIR HANDS AND SEALS THE DAY AND YEAR FIRST ABOVE WRITTEN.

FIRST PARTY: HEATH-MARSHALL, INC. BY Glen S. Marshall 5/7
SECOND PARTY: ANDERSON ASPHALT CO BY Larry D. Anderson
THIRD PARTY: DAVID Z. WALTERS David Z. Walters AND
CHARLENE B. WALTERS, Charlene B. Walters

STATE OF IDAHO, COUNTY OF BANNOCK:
ON THIS 15 DAY OF APRIL 1997, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GLEN S. MARSHALL, KNOWN TO ME TO BE THE SECRETARY/TREASURER OF HEATH-MARSHALL, INC., AN IDAHO CORPORATION, AND THE PERSON WHO EXECUTED THIS INSTRUMENT ON BEHALF OF SAID CORPORATION. IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.

-----NOTARY PUBLIC, RESIDING AT Boate

STATE OF IDAHO, COUNTY OF BLAINE:
ON THIS 31 DAY OF APRIL 1997, BEFORE ME, A NOTARY PUBLIC IN
AND FOR SAID STATE. PERSONALLY APPEARED LARRY ANDERSON,
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE
WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED
THE SAME.

 NOTARY PUBLIC, RESIDING AT Boikyr
COMM EXPIRES 5-19-2000

STATE OF IDAHO, COUNTY OF MADISON:
ON THIS 31 DAY OF ~~APRIL~~ March 1997, BEFORE ME, A NOTARY PUBLIC IN
AND FOR SAID STATE, PERSONALLY APPEARED DAVID E. WALTERS AND
CHARLENE B. WALTERS, KNOWN TO ME TO BE THE PERSONS WHOSE
NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND
ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Sally Biale NOTARY PUBLIC, RESIDING AT Herbert Overly
COMM EXPIRES 11-2001

Instrument # 441009

HARLEY BLAINE, IDAHO

2000-07-12

11:50:00 No. of Pages: 2

Recorded for : SAWTOOTH TITLE

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

**CORPORATION
WARRANTY DEED**

FOR VALUE RECEIVED

HEATH-MARSHALL, INC., AN IDAHO CORPORATION

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

LARRY ANDERSON and LEXIE ANDERSON, dba ANDERSON ASPHALT PAVING COMPANY

GRANTEE whose address is: P.O. Box 759, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 1B of A REPLAT OF LOT 1, BLOCK 1, AGGREGATE ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 434576, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its _____ President and its _____ Secretary.

Dated: July 7, 2000

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Glen S. Marshall
GLEN S. MARSHALL

JOHN F. HEATH

State of *IDaho* }
County of *BANNOCK* } ss.

On this 10 day of JULY, in the year 2000, before me, the undersigned, personally appeared **GLEN S. MARSHALL** known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Notary Public
Commission Expires: 4-14-2005
Residing: POCA TELLO, ID

RUTH M. RUBEL
Notary Public
State of Idaho

Order No. 27032

**CORPORATION
WARRANTY DEED**

FOR VALUE RECEIVED

HEATH-MARSHALL, INC., AN IDAHO CORPORATION

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

LARRY ANDERSON and LEXIE ANDERSON, dba ANDERSON ASPHALT PAVING COMPANY

GRANTEE whose address is: P.O. Box 759, Halley, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 1B of A REPLAT OF LOT 1, BLOCK 1, AGGREGATE ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 434576, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: July 7, 2000

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

GLEN S. MARSHALL

John F. Heath
JOHN F. HEATH

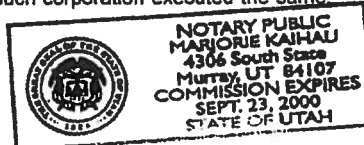
State of Utah }
County of Salt Lake } ss.

On this 10th day of July, in the year 2000, before me, the undersigned, personally appeared JOHN F. HEATH known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Marjorie Kaihau
Notary Public

Commission Expires: Sept 23, 2000



HEATH-MARSHALL, INC

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

^{D.} LARRY ANDERSON AND ^{M.} LEXIE ANDERSON, dba ANDERSON ASPHALT PAVING COMPANY

whose current address is

P.O. Box 759, Hailer, ID., 83333

the following described real estate, to-wit:

Lot 1A, Block One, Aggregate Acres Subdivision, as per A Replat of Lot 1, Block 1, Blaine County, Idaho, recorded as Instrument No. 434576.

Subject to Utility Easements and Restrictions, as delineated upon the plat as recorded.

Subject to Real Estate Taxes for the year of 2000 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 25th Day of January 2000.



MARJORIE HUEY
6950 South Redwood Rd.
West Jordan, UT 84084
COMMISSION EXPIRES
SEPT. 23, 2000
STATE OF UTAH

HEATH-MARSHALL, INC

By *John F. Heath*

John F. Heath

PRESIDENT.

ATTEST:

Glen S. Marshall
Glen S. Marshall

SECRETARY.

Notary for John F. Heath
SUBSCRIBED AND SWORN TO BEFORE ME

THIS 25th DAY OF January 19 2000

Marjorie Huey
NOTARY PUBLIC
Residing At Salt Lake City, Utah

STATE OF IDAHO, COUNTY OF BANNOCK
ON THIS 25th day of January 19 2000.

before me, a notary public in and for said State, personally appeared

Glen S. Marshall

and known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notary seal, the date and time of this certificate first above written

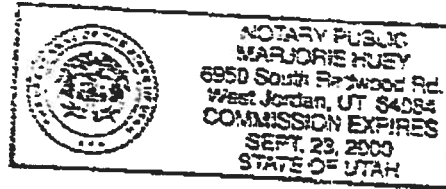
BLAINE JOURNALIST

SAWTOOTH TITLE

2000-01-25 13:53

436094

State of Utah

County of Salt Lake } ss.

On this 26th day of January in the year 2000, before me, the undersigned, personally appeared JOHN F. HEATH known or identified to me to be the president, or vice-president, or secretary or assistant secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Marjorie Huey
Notary PublicCommission Expires: Sept 23, 2000

Order No. 27032

**CORPORATION
WARRANTY DEED**

FOR VALUE RECEIVED

HEATH-MARSHALL, INC., AN IDAHO CORPORATION

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

LARRY ANDERSON and LEXIE ANDERSON, dba ANDERSON ASPHALT PAVING COMPANY

GRANTEE whose address is: P.O. Box 759, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 1B of A REPLAT OF LOT 1, BLOCK 1, AGGREGATE ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 434576, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: July 7, 2000

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Glen S. Marshall
GLEN S. MARSHALL

JOHN F. HEATH

State of IDAHO }
County of BANNOCK } ss.

On this 10 day of JULY, in the year 2000, before me, the undersigned, personally appeared **GLEN S. MARSHALL** known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.
Ruth M. Rubel
Notary Public
Commission Expires: 4-14-2005
Residing POCATELLO, ID

RUTH M. RUBEL
Notary Public
State of Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 25, 2016

ANDERSON ASPHALT PAVING INC
PO BOX 759
HAILEY ID 83333

RE: Notice of Change in Water Right Ownership No(s). 37-8856

Dear Interested Party(s):

Thank you for submitting a Notice of Change in Water Right Ownership for water right 37-8856. During the review, it was discovered that additional information was needed to complete this request.

The information needed is a copy of the conveyance document- warranty deed, quitclaim deed, etc. A conveyance document conveys the water right or the land appurtenant to the water right into your name. The conveyance document must include the legal description of the property. The Deed of Trust is the agreement between the lender and buyer and the Industrial Water Well Agreement doesn't convey property or water right.

This permit is being reviewed to be licensed. If you would your portion to be licensed in your name, please provide the requested information within 30 days. If we do not receive the necessary information within 30 days we will return your request unprocessed. Please send the documents to the address above or email to jean.hersley@idwr.idaho.gov or fax to (208) 287-6700, attn: Jean.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II