

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 03 2017

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?
23-11396	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11398	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11400	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11402	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rodney Clark
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
589 1999 vistavalleyag@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: _____
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

8. Signature: *B. J. Foster* _____ 3 Feb 17
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. E042732 Receipt Amt. \$100
 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 CF Processed by JB Date 12/13/2017

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:340822

FOR VALUE RECEIVED

Loan One LLC , an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

h/ L/ **Foster Company , an Idaho Partnership**

whose current address is

**P.O. Box 626
Ririe, ID 83443**

the grantee(s), the following described premises, in Bonneville County, Idaho, TO WIT:

TRACT I:

Parcel B

A Parcel of Land located in Sections 5, 6, 7 & 8, T 1 N, R 44 E, B.M., Bonneville County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of Rainey Creek Meadows Division No. 2 as platted and recorded at the office of the Bonneville County Recorder, Thence N 0°05'03" E 498.85 feet; thence N 20°22'33" E 33.62 feet to the centerline of Trumpeter Lane; also being the Real Point of Beginning; Thence along the following thirteen courses and distances along westerly boundary of said Rainey Creek Meadows Division No. 2;
Thence N 20°22'33" E 33.61 feet;
Thence N 0°02'14" E 419.88 feet;
Thence N 90°00'00" E 320.00 feet;
Thence S 65°29'50" E 437.94 feet;
Thence N 90°00'00" E 450.00 feet;
Thence N 65°18'55" E 60.00 feet;
Thence 341.98 feet along an arc of a curve to the left, having a central angle of 33°28'47" and a radius of 585.25 feet;
Thence N 58°09'52" W 80.00 feet;
Thence 421.49 feet along an arc of a curve to the right, having a central angle of 51°22'56" and a radius of 470.00 feet;
Thence N 6°46'56" W 280.27 feet;
Thence 151.07 feet along an arc of a curve to the right, having a central angle of 18°24'58" and a radius of 470.00 feet;
Thence N 11°38'02" E 363.08 feet;
Thence 131.80 feet along an arc of a curve to the left, having a central angle of 10°28'00" and a radius of 721.51 feet;
Thence 124.96 feet along an arc of a curve to the right, having a central angle of 50°34'40" and radius of 141.56 feet;
Thence N 7°33'00" W 40.00 feet;
Thence N 51°43'10" W 27.87 feet;
Thence along the Southerly right of way of Rainey Creek Road the N 89°54'56" W 120.00 feet;

Thence along the Southerly right of way of Rainey Creek Road the N 73°22'39" W 283.68 feet;
 Thence along the Southerly right of way of Rainey Creek Road the N 89°54'56" W 600.00 feet;
 Thence along the Southerly right of way of Rainey Creek Road the S 89°57'29" W 844.14 feet;
 Thence along the following seven courses and distances along existing centerline of access road:
 Thence S 3°40'51" W 302.00 feet;
 Thence 296.87 feet along an arc of a curve to the left, having a central angle of 20°14'51" and a radius of 840.08 feet;
 Thence S 16°34'00" E 169.11 feet;
 Thence 288.84 feet along an arc of a curve to the right, having a central angle of 24°42'02" and a radius of 670.00 feet;
 Thence S 8°08'02" W 500.61 feet;
 Thence 957.70 feet along an arc of a curve to the left, having a central angle of 103°31'57" and a radius of 530.00 feet;
 Thence N 84°36'03" E 558.17 feet to the real point of beginning.

Subject to: Any County Roads or Rights of Way.

AND:

Parcel C

A Parcel of land located in Sections 6, 7, 8, T 1 N, R 44 E, B.M., Bonneville County, Idaho, more particularly described as follows:

Beginning at the Southwest Corner of Rainey Creek Meadows Division No. 2 as platted and recorded at the office of the Bonneville County Recorder, also being the real point of beginning;
 Thence N 89°54'57" W 287.52 feet to the N 1/16 corner common to said Section 7 & 8;
 Thence N 89°59'44" W 1323.31 feet to the NE 1/16 corner of said Section 7;
 Thence N 0°02'04" E 1324.42 feet to the E 1/16 corner common to said Sections 6 & 7;
 Thence N 0°27'38" E 1293.28 feet to the Southerly right of way of Rainey Creek Road;
 Thence along the Southerly right of way of Rainey Creek Road the N 89°57'29" E 469.52 feet;
 Thence along the following seven courses and distances along existing centerline of access road:
 Thence S 3°40'51" W 302.00 feet;
 Thence 296.87 feet along an arc of a curve to the left, having a central angle of 20°14'51" and a radius of 840.08 feet;
 Thence S 16°34'00" E 169.11 feet;
 Thence 288.84 feet along an arc of a curve to the right, having a central angle of 24°42'02" and radius of 670.00 feet;
 Thence S 8°08'02" W 500.61 feet;
 Thence 957.70 feet along an arc of a curve to the left, having a central angle of 103°31'57" and radius of 530.00 feet;
 Thence N 84°36'03" E 558.17 feet;
 Thence leaving said road centerline S 20°22'33" W 33.62 feet;
 Thence S 0°05'03" W 498.85 feet to the real point of beginning.

Subject to: Any County Roads or Rights of Way.

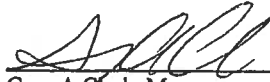
Together with water rights: 23-11400, 23-11398, 23-11396, 23-11402

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 31, 2017

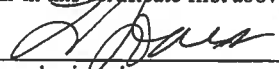


Gary A. Clark, Manager

State of Idaho) ss
County of Barnock

On this 1 day of February, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Gary A Clark known or identified to me to be the Managing Member in the Limited Liability Company known as Loan One LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



the undersigned
Notary Public for the State of Idaho
Residing at:
Commission Expires:

RESIDES IN
POCATELLO
EXPIRES 06-01-2019





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

December 15, 2017

C.L. "BUTCH" OTTER
Governor

Foster Co
Po Box 626
Ririe ID 83443

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 23-11396, 23-11398, 23-11400 & 23-11402

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 01