

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 13 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?
35-12350 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2619 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2743 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>35-13438 OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-13440 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walker Land and Cattle
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 |
| 208 589 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):
 - ☐ \$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]* 13 Nov 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 *SE* Date 11/13/17 Receipt No. 2043551 Receipt Amt. 125.00

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 11/13/2017

Instrument # 1567727
Bonneville County, Idaho Falls, Idaho
11/02/2017 10:09:18 AM No. of Pages: 3
Recorded for: ALLIANCE TITLE - IDAHO FALLS OFFICE
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Clements
Index to: DEED, WARRANTY

EXHIBIT B

Atee 369804

WARRANTY DEED

THIS INDENTURE is made this 26 day of Oct, 2017, by WALKER LAND & CATTLE, LLC, an Idaho limited liability company (the "Grantor"), to FOSTER COMPANY, an Idaho general partnership, whose mailing address is P.O. Box 626, Ririe, Idaho 83443 (the "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Bonneville, State of Idaho, to-wit:

PARCEL 1:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 20, TOWNSHIP 3 NORTH, RANGE 36 EAST, BOISE-MERIDIAN, BONNEVILLE COUNTY, IDAHO; AND RUNNING THENCE S00°02'03"E 2645.81 FEET ALONG EAST SECTION LINE OF SAID SECTION TO THE E ¼ CORNER OF SAID SECTION; THENCE N89°58'28"W 2639.04 FEET TO THE CENTER CORNER OF SAID SECTION; THENCE CONTINUING ALONG THE EAST-WEST CENTER SECTION LINE N89°58'28"W 2639.04 FEET TO THE W 1/4 CORNER OF SAID SECTION; THENCE CONTINUING ALONG THE EAST-WEST CENTER SECTION LINE N89°58'28"W 2637.68 FEET TO THE CENTER CORNER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 36 EAST, BOISE-MERIDIAN, BONNEVILLE COUNTY, IDAHO; THENCE ALONG SAID NORTH-SOUTH SECTION LINE N00°02'13"E 2641.49 FEET TO THE N 1/4 OF SAID SECTION 19; THENCE CONTINUING ALONG SAID NORTH-SOUTH SECTION LINE N00°02'21"E 1320.83 FEET; THENCE N89°58'35"E 2636.62 FEET; THENCE N89°58'50"E 2638.47 FEET; THENCE S00°03'14"W 1322.28 FEET TO THE N 1/4 CORNER OF SECTION 20 TOWNSHIP 3 NORTH, RANGE 36 EAST, BOISE-MERIDIAN, BONNEVILLE COUNTY, IDAHO ; THENCE N89°59'40"E 2637.74 FEET TO THE POINT OF BEGINNING, CONTAINING 640.347 ACRES.

PARCEL 2:

TOWNSHIP 3 NORTH, RANGE 36 EAST, BOISE-MERIDIAN, BONNEVILLE COUNTY, IDAHO:

SECTION 29: EAST HALF OF THE NORTHEAST QUARTER (E $\frac{1}{2}$ NE $\frac{1}{4}$)
SOUTHWEST QUARTER OF THE NORTHEAST QUARTER
(SW $\frac{1}{4}$ NE $\frac{1}{4}$)
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER
(SE $\frac{1}{4}$ NW $\frac{1}{4}$)

SUBJECT to all real property taxes and assessments, all existing patent reservations, easements, rights of way, and restrictive covenants, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

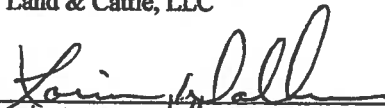
TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

GRANTOR:

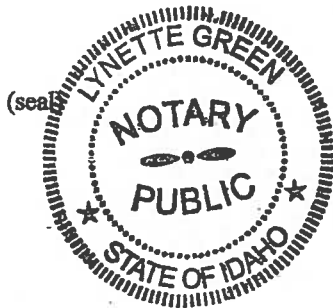
Walker Land & Cattle, LLC

By: 
Name: Larin Walker
Title: Member

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 26 day of October, 2017, before me, the undersigned, a notary public in and for said State, personally appeared Lerin Walker, known or identified to me to be the manager or a member of Walker Land & Cattle, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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



Lynette Green
Notary Public for Idaho
Residing at Jefferson County
My Commission Expires: 5/24/2022



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

November 17, 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). 35-2619, 35-2743, 35-12350, 35-13438 & 35-13440

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 120
Bonneville Jefferson Ground Water District