



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 9, 2017

C.L. "BUTCH" OTTER
Governor

Foster Co
PO Box 626
Ririe ID 83443

GARY SPACKMAN
Director

RE: Notice of Change in Water Right Ownership
Water Rights: 23-28, 23-29, 23-7017, 23-10217, 23-11265 & 23-11269

Dear Sir/Madam:

On August 31, 2017, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide evidence of ownership and possibly additional filing fees. On September 12, 2017, we sent a letter requesting the additional information (copy enclosed). The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$150.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SUPPORT DATA

IN FILE # 23-28

Barg, Jonie

From: Barg, Jonie
Sent: Monday, November 06, 2017 3:15 PM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E043340.pdf

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E043340
Amount: \$150.00
Payable to: Foster Co
Po Box 626
Ririe ID 83443

Reason: Total filing fee received \$150.00 for an ownership change. In order to complete the application additional filing fees and/or evidence of ownership is required. The information was requested but never submitted, the application is being returned therefore they are entitled to a full refund.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 31 2017

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?
23-28	Yes ☐	Yes ☐	23-11269	Yes ☐	Yes ☐
23-29	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-7017	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-10217	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11265	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: HIDDEN MOOSE PROPERTIES
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
- Mailing address: PO Box 626 City: KIRIE State: ID ZIP: 83443
- Telephone: 208-538-5170 Email: VISTAVALLEYAG@GMAIL.COM

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: 28 Aug 17
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: Bzel Foster Signature of new owner/claimant Title, if applicable: Owner Date: 31 Aug 17
- Signature: _____ Signature of new owner/claimant Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by SC Date 8/31/17 Receipt No. ED043340 Receipt Amt. 150.00

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 _____

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:361584

FOR VALUE RECEIVED

Hidden Moose Properties LLC, an Idaho Limited Liability Company

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

Foster Company, a partnership

whose current address is

**PO Box 626
Ririe, ID 83443**

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

Tract 1:

The West Half of the Northwest Quarter; the Southeast Quarter of the Northwest Quarter; and the Northwest Quarter of the Southwest Quarter of Section 9, Township 1 North, Range 44 East of the Boise Meridian, Bonneville County, Idaho.

Less: A parcel of land being a portion of the Northwest Quarter of the Northwest Quarter of Section 9, Township 1 North, Range 44 East of the Boise Meridian, Bonneville County, Idaho, and being more particularly described as follows: Commencing at the Northwest corner of said Section 9, as filed for record as Instrument No. 937306 in the office of the Bonneville County Clerk and Recorder; thence South 00°07'35" East along the West line of said Section 9 a distance of 589.48 feet to the point of beginning; thence North 89°52'25" East 1325.00 feet; thence South 00°05'30" East along an existing fence line 328.80 feet; thence South 89°52'25" West 1324.80 feet; thence North 00°07'35" West along said West line of Section 9 a distance of 328.80 feet to the point of beginning.

Also less: Beginning at a point that is North 00°17'40" East along the Section line 1354.51 feet from the Southwest corner of Section 9, Township 1 North, Range 44 East of the Boise Meridian, Bonneville County, Idaho; running thence North 00°17'40" East along said Section line 332.43 feet; thence South 89°53'04" East 1335.57 feet to the East line of the Northwest Quarter of the Southwest Quarter of said Section 9; thence South 00°21'46" West along said East line 332.43 feet; thence North 89°53'04" West 1335.18 feet to the point of beginning.

Tract 2: Beginning at a point that is North 00°17'40" East along the Section line 1354.51 feet from the Southwest Corner of Section 9, Township 1 North, Range 44 East of the Boise Meridian, Bonneville County Idaho; running thence North 00°17'40" East along said Section line 332.43 feet; thence South 89°53'04" East 1335.57 feet to the East line of the Northwest Quarter of the Southwest Quarter of said Section 9; thence South 00°21'46" West along said East line 332.43 feet; thence North 89°53'04" West 1335.18 feet to the POINT OF BEGINNING.

Subject to a 15' BURIED IRRIGATION EASEMENT

A 15 foot wide buried irrigation easement more specifically described as follows: Beginning at a point that is North 00°17'40" East along the Section line 1344.51 feet and South 89°53'04" East 1310.62 feet from the Southwest Corner of Section 9, Township 1 North, Range 44 East of the Boise Meridian; running thence South 89°53'04" East 15.00 feet; thence North 00°21'22" East 332.43 feet; thence North 89°53'04" West 15.00 feet; thence South 00°21'22" West 332.43 feet to the POINT OF BEGINNING.

domestic
WATER RIGHTS #23-28, #23-29, #23-7017, #23-10217, #23-11265, AND #23-11269.

AND THE FOLLOWING EQUIPMENT:

Well Guard Electrical Panel Class 8940 Type XSG4208 #28524278-001

125 Horse Power High Thrust US Electrical Motors Pump C9982-00-1-17-74
8500999

1 Zymatic Circle

2 Quarter Mile Hand Lines

4 Quarter Mile Hand Lines

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: 8/28/17

Hidden Moose Properties LLC

Marilyn S Marano, Manager

Stephen R Marano, Manager

State of Idaho) ss
County of Bonneville)

On this 28 day of August, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Marilyn S Marano and Stephen R Marano known or identified to me to be the Managing Member in the Limited Liability Company known as Hidden Moose Properties 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.

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

Residing in Idaho Falls, Idaho
Commission Expires 07-15-2021

