

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES\$125. -
RECEIVED

JAN 07 2016

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?
35-138020*	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-70250*	Yes ☒	Yes ☐		Yes ☐	Yes ☐
1	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7025 35-14505	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Walker Land & Cattle
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Foster Co
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Mailing address: PO Box 626 City: Ririe State: ID ZIP: 83443
- Telephone: 208-538-5170 Email: VISTAVALLEPH@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: _____
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: Bd Foster Signature of new owner/claimant Title, if applicable: Owner Date: 7 Jan 16
- Signature: _____ Signature of new owner/claimant Title, if applicable: _____ Date: _____

For IDWR Office Use Only:

Received by: JB Date: 1/26/2015 Receipt No. E041772 Receipt Amt. \$125. -

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: 1/4/2017

241291
Alliance Title & Escrow Corp.
1070 Riverwalk Dr., Ste. 100
P.O. Box 50642
Idaho Falls, ID 83405-0642

WARRANTY DEED

Rec	led Electronically
ID	749,5684
County	Bonneville
Date	4-22-15 Time 10:05am
Simplifile.com 800.460.5657	

THIS INDENTURE is made this 21st day of April, 2015, by WALKER LAND & CATTLE, LLC, an Idaho limited liability company, the "Grantor", to FOSTER COMPANY, a partnership having as its general partners Boyd S. Foster and Laurie Foster, 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:

Tract A:

Section 3, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho:
Lots 2, 3, and 4
South Half of the North Half (S $\frac{1}{2}$ N $\frac{1}{2}$)
Southwest Quarter (SW $\frac{1}{4}$)
West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$)

Section 4, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:
Lots 1 and 2
South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$)
Southeast Quarter (SE $\frac{1}{4}$)

Section 10, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:
East Half (E $\frac{1}{2}$)

Excepting therefrom: Part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho described as follows:

Beginning at the Southeast corner of said Section 10 and running thence N.89°58'59"W. 634.18 feet along the section line; thence N.00°01'01"E. 30.00 feet; thence N.30°26'38"E. 403.70 feet; thence N.51°48'50"E. 35.41 feet; thence S.89°58'59"E. 402.89 feet to the east line of said Section 10; thence S.00°09'24"W. 400.00 feet to the point of beginning.

Tract B:

Section 7, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:
West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$)

Section 18, Township 3 North, Range 36, East of the Boise Meridian, Bonneville County, Idaho:
Northwest Quarter (NW $\frac{1}{4}$)
North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$)
South Half of the Southwest Quarter

TRACT A AND TRACT B SHALL INCLUDE AND BE TRANSFERRED WITH:
All Water Rights, appurtenant to the above-described Tract A and Tract B, including but not limited to the following Water Rights: 35-2619, 35-2905, 35-7025, 35-7037, 35-7062, 35-7289, 35-8849, 35-12350, 35-12442 and 35-13802.

All irrigation equipment, pumps, wells, electrical panels and equipment associated therewith located on the above-described Tract A and Tract B, including but not limited to the following:

Pumps and Wells

(1)-600 H.P. (Serial#5K6528XC195B) Motor w/Turbine Pump Booster 250, Steele Hill 850 total HP, Slow Start, VFD. RMP Site#728030853
(1)-#400 H.P. (Serial#1405834) Motor w/Turbine Booster Pump 125, Steele 11&12 525 total HP. RMP Site#677428043
(1)-400 H.P. (Serial#1280573) Motor w/ Turbine Pump, Steele 1,2,3,4 400 total HP, VFD. RMP Site#711716873

Irrigation Equipment

2-9 Tower Valley Pivots with Reinke Corner Catchers listed below Steele 1&2
Reinke Corner System 0408-01512-2060 – Steele 1
Reinke Corner System 0408-01511-2060 – Steele 2

2-6 Tower Mini Pivots Steele 3&4

2-9 Tower Valley Pivots with Reinke Corner Catchers listed below Steele 7&8:
Reinke Corner System 0408-01514-2060 – Steele 7
Reinke Corner System 0408-01513-2060 – Steele 8

2-9 Tower Valley Pivots Steele 9&10

2-9 Tower Valley Pivots with Valley Corner Catchers 1320 feet long Steele 11&12

Reinke 2060 Center Pivot 1-933 Feet 6 Towers 0408-40413-2060 – Mini Pivot Steele 13
Reinke 2060 Center Pivot 1-952 Feet 6 Towers 0408-40414-2060 – Mini Pivot Steele 14
Reinke 2060 Center Pivot 1-749 Feet 6 Towers 0408-40482-2060 – Mini Pivot Steele 15

Buried Mainline
Solid Set hand lines

SUBJECT TO the following:

1. All real property taxes and assessments; all existing patent reservations, easements, rights of way, and restrictive covenants of record; 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.

2. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.

Recorded: August 25, 1916.

Book: 9 at Page: 417

Official Records: Bonneville County.

3. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.

Recorded: September 16, 1916.

Book: 9 at Page: 431

Official Records: Bonneville County.

4. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.

Recorded: January 4, 1917.

Book: 9 at Page: 511

Official Records: Bonneville County.

5. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.

Recorded: July 16, 1917.

Book: 13 at Page: 61

Official Records: Bonneville County.

6. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: January 24, 1952.
Book: 80 at Page: 449
Official Records: Bonneville County.

7. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: February 21, 1953.
Book: 85 at Page: 587
Official Records: Bonneville County.

8. The provisions contained in Deed,
Recorded: April 11, 1960,
In Book 127 of Deeds at Page 99.
As follows: "Reserving unto the Grantor its successors and assigns, one-half of all the oil, gas and minerals and/or the rights thereto, in, on and under the above Described lands."

9. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: September 29, 1961
Book: 21, of Leases & Contract at Page: 369

10. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: November 1, 1961
Book: 21 of Leases & Contracts on, Page: 415

11. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light
Purpose: Public Utilities
Recorded: November 1, 1961
Book: 21, of Leases & Contract on Page: 416

12. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: December 15, 1965.
Instrument No 355436
Official Records: Bonneville County.

13. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: May 10, 1966
Instrument No.: 360693

14. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light
Purpose: Public Utilities
Recorded: October 27, 1969
Instrument No.: 401518

15. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: October 27, 1969
Instrument No.: 401519

16. Rights of the public in and to that portion of the premises lying within 9th West.

17. Rights of the public in and to that portion of the premises lying within 125th West (Moeller Rd).

18. Rights of the public in and to that portion of the premises lying within 113th North.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining (including but not limited the aforementioned water rights), 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,
an Idaho limited liability company

By: 

Name: Roland N Walker

Title: Managing Member

STATE OF IDAHO)

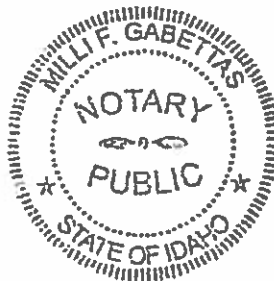
) ss.

County of Bonneville)

On the 21st day of April, 2015, before me, the undersigned, a notary public in and for said State, personally appeared Robert H. Walker, known or identified to me to be a Managing 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.

(SEAL)



Milli F. Gabettas
Notary Public for Idaho

Residing at: Residing in Idaho Falls, Idaho
My Commission Expires: Commission Expires 3/19/2016

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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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2017

Foster Co
PO Box 626
Ririe ID 83443

RE: Change of Ownership for Water Rights 35-13802 (No Split) 35-7025 (Split into 35-7025 & 35-14505)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

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.

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

Enclosures

cc: Midnight Sun Inc VIII
Water District 120
Bonneville Jefferson Ground Water District