

Thiel Farm - Bonneville

Form 42-248/42-1409(6) 10/07

RECEIVED

JUN 26 2009

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
35-4013	OK				
35-12511	OK				

SUPPORT DATA

2. The following **REQUIRED** information must be submitted with this form:

IN FILE # 35-4013

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Foster Land & Cattle / Howard Taylor & Son
PO Box 40 / 8307 W 81 N
Ririe, ID 83443 / Idaho Falls, ID 83401

4. New Owner/Claimant(s)

Foster Company
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 626

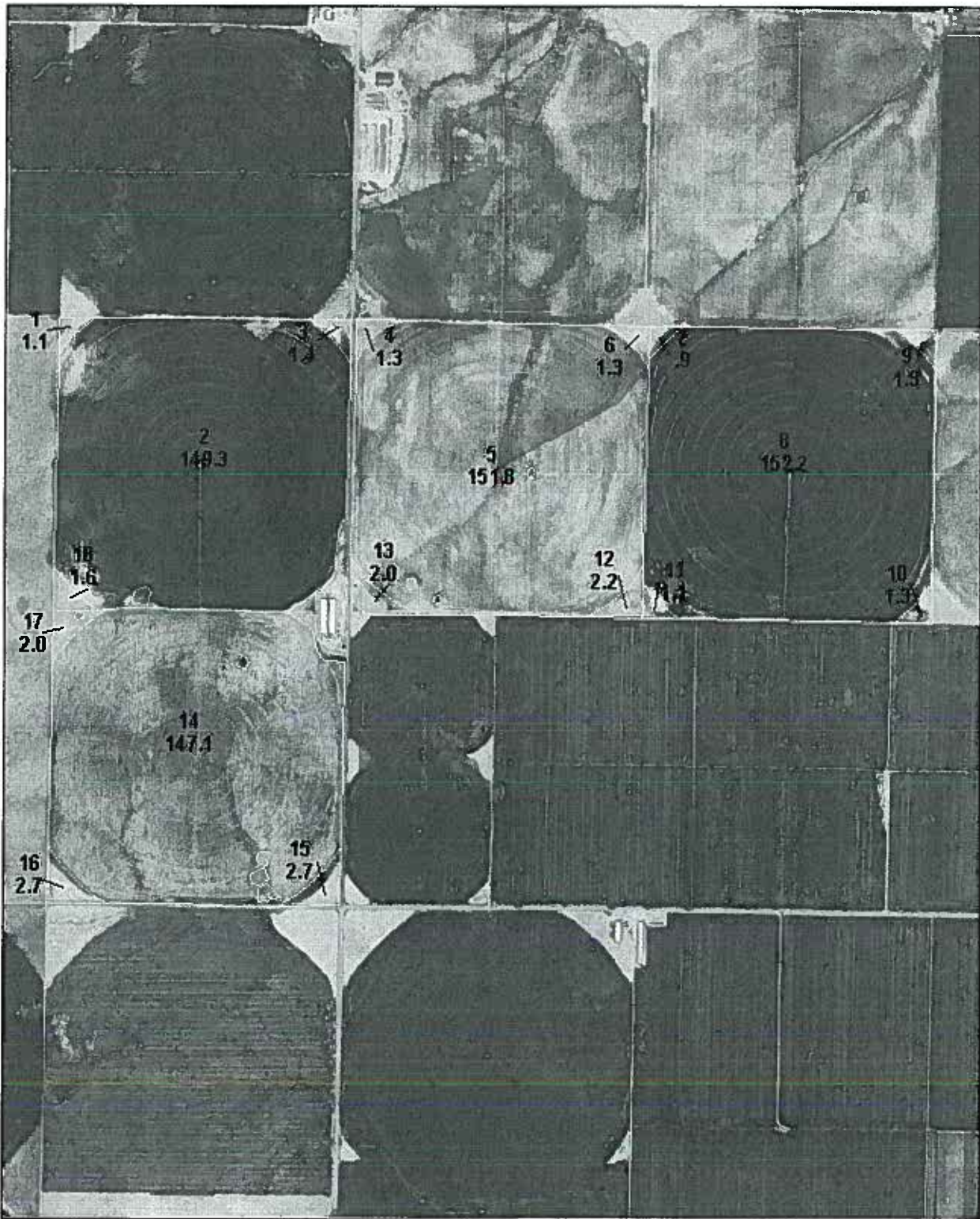
City, State and ZIP Code

Ririe, ID 83443

New Telephone Number

(208) 538-5170 Email: vistavalleyag@gmail.com

FARM NO: 4097
TRACT NO: 799



Prepared by FSA

Date: 9-23-08 NOT TO SCALE



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Instrument # 1324910

IDAHO FALLS, BONNEVILLE, IDAHO

2-26-2009 04:10:29 No. of Pages: 3

Recorded for: HOLDEN KIDWELL

RONALD LONGMORE

Ex-Officio Recorder Deputy

Fee: 9.00

Index to: DEED, WARRANTY

WARRANTY DEED

THIS INDENTURE is made this 19 day of February, 2009, by Foster Land and Cattle Co., (a/k/a Foster Land & Cattle Company and Foster Land & Cattle Co.), an Idaho general partnership, whose general partners are Bradley D. Foster, Sharol Foster, Boyd S. Foster, and Laurie Foster, the "Grantor", and Foster Company, a new Idaho general partnership, whose general partners are Boyd S. Foster and Laurie Foster, the "Grantee", whose mailing address is P. O. Box 626, Ririe, Idaho, 83443.

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 heirs and assigns forever, all of the following described property in the County of Bonneville, State of Idaho, to-wit:

TRACT I:

Township 3 North, Range 35 East of the Boise Meridian,
Bonneville County, Idaho.

Section 12: E1/2

Water Right #
35 - 4013
35 - 12511

TRACT II:

Township 3 North, Range 36 East of the Boise Meridian,
Bonneville County, Idaho.

Section 7: N1/2

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

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any 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 premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the

COPY

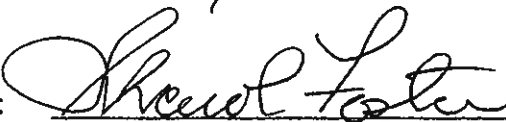
Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

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

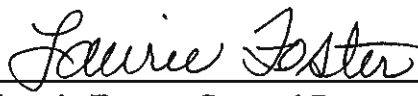
IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

FOSTER LAND AND CATTLE CO.

By: 
Bradley D. Foster, General Partner

By: 
Sharol Foster, General Partner

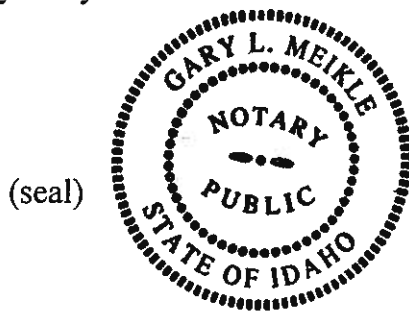
By: 
Boyd S. Foster, General Partner

By: 
Laurie Foster, General Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19 day of February, 2009, before me the undersigned, a notary public in and for said State, personally appeared Bradley D. Foster and Sharol Foster, known or identified to me to be the partners in the partnership of Foster Land and Cattle Co. and the partner or partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership 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.

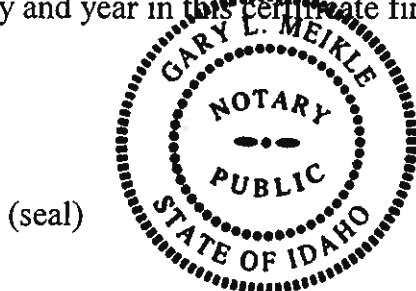



Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12-15-2009

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 19 day of February, 2009, before me the undersigned, a notary public in and for said State, personally appeared Boyd S. Foster and Laurie Foster, known or identified to me to be the partners in the partnership of Foster Land and Cattle Co. and the partner or partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership 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 Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12-15-2009

G:\WPDATA\GLM\5288-007\deeds\Osgood\FLC to FC.bonneville (riel).wpd

AMT T-30574 k

Mail Property Tax Notice To:
FOSTER LAND & CATTLE CO.
P.O. Box 308
Rigby, ID 83442

BONNEVILLE COUNTY RECORDER
1159704 JUL28'04 PM 4 21

"The true consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor."

GRANT DEED

(Thiel Property)

HOWARD TAYLOR & SONS, INC., an Idaho Corporation, Grantor, hereby grants and conveys to FOSTER LAND & CATTLE CO. an Idaho General Partnership comprised of BOYD FOSTER and BRAD FOSTER, Grantees, whose mailing address is P.O. Box 308, Rigby, ID 83442 for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real property located in Bonneville County, Idaho:

Township 3 North, Range 35 East of the Boise Meridian, Bonneville County, Idaho.

Section 12: E1/2

Township 3 North, Range 36 East of the Boise Meridian, Bonneville County, Idaho.

Section 7: N1/2

INSTRUMENT NO.	1159704
DATE	7/28/04
INST. CODE	200
IMAGED PGS	30
FEE	
STATE OF IDAHO	ss
COUNTY OF BONNEVILLE	)
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	K Swanson
Deputy	and
Recorder	

SUBJECT TO taxes and assessments for the year 2004 and all subsequent years, to any and all existing easements, rights-of-way, reservations, restrictions and encumbrances which are apparent or of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

Together with any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, water rights however evidenced, and rights-of-way in anywise appertaining to the property herein described.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 14th day of July, 2004.

HOWARD TAYLOR & SONS, INC.

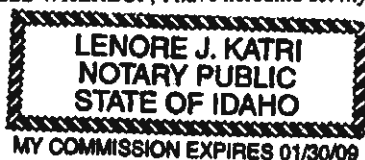
BY: William H. Taylor
Its: President

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 14th day of July, 2004, before me the undersigned, a Notary Public for Idaho, personally appeared William H. Taylor, known or identified to me to be the President 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.

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

AmeriTitle
497 N. Capital Ave
Idaho Falls, ID 83402



Donna Swanson
Notary Public for Idaho
Residing at: _____
My Commission Expires: _____

LABTT0185.27/grant.deed.wpd

QUITCLAIM DEED

HOWARD F. TAYLOR AND SONS, a co-partnership, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby release, remise, and forever QUITCLAIM unto
HOWARD TAYLOR & SONS, INC., an Idaho Corporation as GRANTEE,
whose address is Box 51780 Idaho Falls and Grantee's successors and assigns, all of the following described real property, to-wit:

**The North one-half (N1/2) of Section 7, Township 3 North, Range 36 East of the Boise Meridian,
Bonneville County, Idaho; and the East one-half (E1/2) of Section 12, Township 3 North, Range 35 East
of the Boise Meridian, Bonneville County, Idaho.**

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: December 12, 2003

William H. Taylor
William H. Taylor, a Partner

L. Kent Taylor
L. Kent Taylor, a Partner

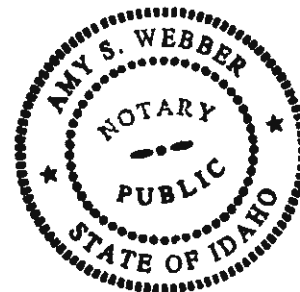
Carl B. Taylor
Carl B. Taylor, a Partner

INSTRUMENT NO.	1138199
DATE	12-16-03
INST. CODE	220
IMAGED PGS	1
FEE	3.00
STATE OF IDAHO	) ss
COUNTY OF BONNEVILLE	)
I hereby certify that the within instrument was recorded.	
Ronald Longmire, County Recorder	
By	<u>R. Longmire</u>
Deputy Request of	BLT

STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss.

On December 12, 2003, before me, the
undersigned, personally appeared WILLIAM H. TAYLOR, L. KENT TAYLOR, and
CARL B. TAYLOR known or identified to me to be the partners in the Partnership
and the partners who subscribed said Partnership name to the foregoing
instrument, and acknowledged to me that they executed the same in said
Partnership name.

Amy S. Webber
NOTARY FOR THE STATE OF IDAHO
Commission Expires: 9-30-2008



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A35-12511
Date Received: 9/08/1989
Receipt No: 601407
Received By: SV

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD TAYLOR & SONS, INC.
Address: C/O WILLIAM TAYLOR
P.O. BOX 51780
IDAHO FALLS, ID

208-522-7770

83405

2. Date of Priority: MAY 01, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion: *Shil Cellars -*

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	35E	12	SE	SE	NE		BONNEVILLE

5. Description of diverting works:

8"X400' WELL WITH A 3HP SUBMERSIBLE PUMP TO HYDRANTS/HUMIDIFIERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

INDUSTRIAL USE FOR POTATO CELLAR HUMIDIFIERS. CULINARY FOR SHOP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	35E	12	SE	NE		INDUST	

11. Place of use in counties: BONNEVILLE

A35-12511

Page 1

Date: 09/08/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A35-04013
Date Received: 9/07/1989
Receipt No: EO 10407
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD TAYLOR & SONS, INC.
Address: C/O WILLIAM TAYLOR
P.O. BOX 51780
IDAHO FALLS, ID

208-522-7770

83405

2. Date of Priority: MAY 01, 1962

Trib. to:

3. Source: GROUNDWATER

4. Point of Diversion: *Shul place*

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	36E	7	SW	NE	NW		BONNEVILLE

5. Description of diverting works:
DEEP WELL WITH TURBINE PUMP INTO MAINLINE. PRIVOTS, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.500		

38145 gpm

7. Total Quantity Appropriated is:
8.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 1605.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	35E	7	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

A35-04013

Page 1

Date: 09/07/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A35-07160
Date Received: 8/15/1989
Receipt No: E01407
Received By: EE

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD TAYLOR & SONS, INC.
Address: C/O WILLIAM TAYLOR
P.O. BOX 51780
IDAHO FALLS, ID

208-522-7770

83405

Feb 9/ { Water 420 ft
Bowls 425 ft
hole 477 ft

2. Date of Priority: JAN 11, 1971

Trib. to:

3. Source: GROUNDWATER

4. Point of Diversion: *Thiel Plain*

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	36E	7	SW	NE	NW		BONNEVILLE

5. Description of diverting works:
DEEP WELL WITH TURBINE PUMP INTO MAINLINE TO CENTER PIVOTS/HANDLI

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.030		

3155.06 gpm

7. Total Quantity Appropriated is:
7.030 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 1490.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	35E	12	NE	NE		IRR	39.0
			NW	NE		IRR	40.0

A35-07160

Page

1

Date: 09/07/89