

all

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

RECEIVED**APR 18 2006**Department of Water Resources
Eastern RegionPlease 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
35-2877					
35-2880					
35-7335A					

RECEIVED**APR 24 2006**DEPARTMENT OF
WATER RESOURCES

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

- 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 usually attached to your deed or on file with the county).

OR

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 **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) Linden J & Lois J Buttkofer
6138 N 5th West, Idaho Falls, ID 83401
4. New Owner/Claimant(s) FOSTER LAND and CATTLE CO.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 308
- City, State and ZIP Code Rigby, ID 83442
- New Telephone Number (208) 538-5170
5. Date you acquired the property March 31, 2006

— please
notify when
completed

SUPPORT DATA**IN FILE #** 35-2877

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Foster Land and Cattle Co.
(include title if applicable)

Ja Foster
general partner

Shad Foster
general partner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee \$75-
 Received by Ja Date 4-18-06 Receipt No. E 031808
 Processed by _____ AJ Date _____ WR _____ Date _____

AMT 20-40984

347421

GRANT DEED

THIS INDENTURE is made this 27th day of March, 2006, by LINDEN J. BUTIKOFER and LOIS J. BUTIKOFER, husband and wife, the "Grantor", to FOSTER LAND AND CATTLE CO., an Idaho general partnership having as its General Partners Brad Foster and Boyd Foster, whose mailing address is Post Office Box 308, Rigby, Idaho 83442, 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, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Jefferson, State of Idaho, to-wit:

Township 4 North, Range 35 East of the Boise Meridian, County of Jefferson, State of Idaho.

Section 10: South ½

Section 17: All

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

That certain property conveyed to Jefferson County for roadway purposes by those certain Quitclaim Deeds recorded as Instrument Nos. 181875 and 181907, records of Jefferson County, Idaho.

Section 22: All .

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

That certain property conveyed to Jefferson County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 143699, records of Jefferson County, Idaho.

Section 23: N½

Instrument # 347421

RIGBY, JEFFERSON, IDAHO

2006-03-31

04:31:00 No. of Pages: 6

Recorded for: AMERITITLE

CHRISTINE BOULTER

Ex-Officio Recorder Deputy

Index to: GRANT DEED

Fee: 15.00

3/2/06

4:31

**EXCEPTING THEREFROM ALL OF THE FOLLOWING
DESCRIBED PROPERTIES:**

That certain property conveyed to Jefferson County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 143699, records of Jefferson County, Idaho.

Section 33: NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 34: W $\frac{1}{2}$

SUBJECT TO THE FOLLOWING:

1. All real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and other matters 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. Right, title and interest of the Public in and to those portions of above described property falling within the bounds of roads and highways.
3. Utah Power & Light Company Pole Line Easement given by Western Potato Co. #2, Don C. Archibald, a partner, and Leland Jay Cook, and Anita C. Cook, Grantors to Utah Power & Light Company, a corporation, Grantee, dated May 25, 1965, and recorded in Book 179 of Miscellaneous Records at Page 78, records of Jefferson County, Idaho.
4. Utah Power & Light Company Pole Line Easement given by Merle W. Butikofer and Ulene Butikofer, husband and wife, and Linden J. Butikofer and Lois J. Butikofer, husband and wife, Grantors to Utah Power & Light Company, a corporation, Grantee, recorded as Instrument No. 142793, records of Jefferson County, Idaho.
5. Utah Power & Light Company Easement given by Linden J. Butikofer and Lois J. Butikofer, husband and wife, Grantors to Utah Power & Light Company, a corporation, Grantee, dated

February 7, 1974, and recorded as Instrument No. 170364 on April 30, 1974 at 11:05 a.m., records of Jefferson County, Idaho.

6. Deed of Easement given by Richard A. Egbert, Alta Egbert, Phillips Farms, Inc., Blaine Larsen, Connie Larsen, Richard Larsen, Peggy Larsen, Kent Gneiting and Lorraine Gneiting and Jeffco Farms, a limited partnership, Grantors to Jefferson County, a political subdivision of the State of Idaho, Grantee, dated March 30, 1975, and recorded as Instrument No. 176990 on September 26, 1975 at 11:05 a.m., records of Jefferson County, Idaho.
7. Utah Power & Light Company Easement given by Blaine Larsen, Connie Larsen, Leonard O. Wasden and Afton Wasden, Grantors, to Utah Power & Light Company, a corporation, Grantee, dated May 8, 1975, and recorded as Instrument No. 177443 on November 6, 1975 at 11:05 a.m., records of Jefferson County, Idaho.
8. Utah Power & Light Company Easement given by Leonard C. Wasden and Afton Wasden, Blaine Larsen and Connie Larsen, and Janceen W. Harris, a married woman, Grantors, to Utah Power & Light Company, a corporation, Grantee, dated July 1, 1975, and recorded as Instrument No. 177451, records of Jefferson County, Idaho.
9. Utah Power & Light Company Easement given by Kent Gneiting and Lorraine Gneiting, his wife, Grantors, to Utah Power & Light Company, a corporation, Grantee, dated June 6, 1975, and recorded as Instrument No. 177454 on November 6, 1975 at 11:16 a.m., records of Jefferson County, Idaho.
10. Easement given by Gary J. Jensen, Grantor, to Richard I. Clayton, Jr. and Diane H. Clayton, Grantees, dated October 6, 1976, and recorded as Instrument No. 182365 on October 8, 1976 at 9:35 a.m., records of Jefferson County, Idaho.
11. Utah Power & Light Company Easement given by Blaine Larsen and Connie Larsen, his wife, Grantors, to Utah Power & Light Company, a corporation, Grantee, dated July 28, 1976,

and recorded as Instrument No. 182584, records of Jefferson County, Idaho.

12. Utah Power & Light Company Easement given by Frank D. Jones and Deloris M. Jones, his wife, Grantors, to Utah Power & Light Company, a corporation, party of the second part, dated May 26, 1977, and recorded as Instrument No. 187940 on September 13, 1977 at 11:26 a.m., records of Jefferson County, Idaho.
13. The rights of the public in any and all existing County roads, including but not limited to roads running along the South line, Section 10; North line of Sections 33 and 34.

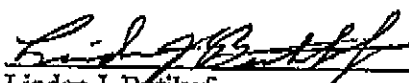
TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

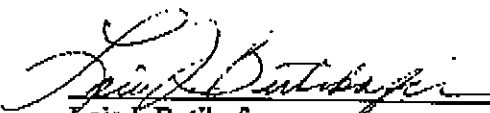
TO HAVE AND TO HOLD, the property and the appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

In construing this 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:

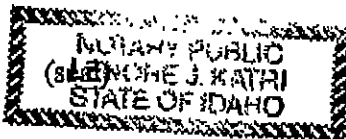

Linden J. Butikofer


Lois J. Butikofer

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 31 day of March, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Linden J. Butikofer, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

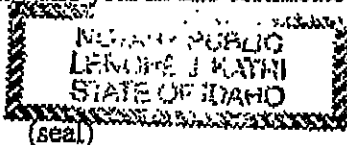


Linda J. Katri
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/09

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the ___ day of March, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Lois J. Butikofer, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.



Linda J. Katri
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/09

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