

JAN 27 2026

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. 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 #7 of the instructions. WD 01

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-11333 <u>OK</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Foster Company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Summers Farms LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 70 N 3500 E Rigby ID 83442
Mailing address City State Zip
(208)589-2468
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: 12/22/2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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: Justin Summers OWNER 1-27-26
 Signature of new owner/claimant Title, if applicable Date
Justin Summers
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

 Print name

Received by JB Date 1/27/2026 For IDWR Office Use Only: Receipt No. E051407 Receipt Amt. \$25-
 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 mp Date 1/27/2026

Instrument # 1759778
 Bonneville County, Idaho Falls, Idaho
 12/22/2023 12:02:44 PM No. of Pages: 7
 Recorded for: FLYING S TITLE AND ESCROW-IDAHO FALLS
 Penny Manning Fee: \$15.00
 Ex-Officio Recorder Deputy Dwoolf1
 Index to: DEED, WARRANTY

RECORDING REQUESTED BY
 First American Title Company

AND WHEN RECORDED MAIL TO:
 First American Title Company

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 1122182-RI

Date: December 21, 2023

For Value Received, Foster Company, an Idaho General Partnership, (Seller) hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Summers Farms, LLC, an Idaho limited liability company, (Buyer) hereinafter called the Grantee, whose current address is 70 N 3500 E, Rigby, ID, 83442, the following described premises, situated in Bonneville County, **Idaho**, to-wit:

See Attached Exhibit A Legal Description

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

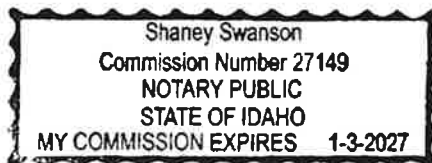
Foster Company, an Idaho General
Partnership

Boyd Foster
By: Boyd Foster, General Partner

Laurie Foster
By: Laurie Foster, General Partner

STATE OF Idaho)
COUNTY OF *Jefferson*)
SS.

On this 22nd day of December, 2023, before me, 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 Company, an Idaho General 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.



Shaney Swanson
Notary Public of Idaho
Residing at: *Idaho Falls ID*
Commission Expires: *1-3-27*

EXHIBIT A

TRACT 1:

PART OF THE WEST 1/2 SECTION 31, TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN AND PART OF THE EAST 1/2 OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 41 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 31 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION BEARS S

89°55'25", E 4661.59 FEET, THE BASIS OF BEARINGS FOR THIS DESCRIPTION: THENCE S 89°55'25" E 2403.02 FEET ALONG THE NORTH

LINE OF SAID SECTION 31 TO ITS INTERSECTION WITH A SWALE, SAID POINT BEING MARKED BY 1/2" IRON ROD WITH PLASTIC CAP

STAMPED HLE PLS 12222; THENCE SOUTHWESTERLY ALONG SAID SWALE THE FOLLOWING 7 COURSES: 1) S 49°14'22" W 302.11

FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222; 2) S 41°09'17" W 773.83 FEET TO A 1/2" IRON ROD WITH

PLASTIC CAP STAMPED HLE PLS 12222; 3) S 48°43'47" W 744.01 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE

PLS 12222; 4) S 31°52'23" W 564.31 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222; 5) S 46°55'30"

W 802.01 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222; 6) S 26°34'21" W 505.39 FEET TO A 1/2" IRON

ROD WITH PLASTIC CAP STAMPED HLE PLS 12222 SAID POINT BEING ON THE WEST LINE OF SAID SECTION 31; 7) S 32°21'57" W

531.35 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222; THENCE

LEAVING SAID SWALE AND FOLLOWING A

CLEARED FIELD AND TREE LINE THE FOLLOWING 12 COURSES:

1) N 67°08'17" W 96.56 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

2) S 72°01'16" W 324.52 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

3) S 84°50'30" W 395.18 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

4) S 48°06'52" W 244.79 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

5) N 87°20'11" W 76.95 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

6) N. 41°40'19" E 336.72 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

7) S 82°55'11" E 112.91 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

8) N 55°39'19" E 167.78 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

9) N 21°11'43" E 149.42 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

10) N 17°19'31" W 166.59 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

11) N 32°42'14" W 197.15 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222;

12) N 67°32'24" W 59.68 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222

TO A POINT BEING AT THE

INTERSECTION OF A SWALE AND SAID FIELD AND TREE LINE; THENCE ALONG SAID SWALE

THE FOLLOWING 5 COURSES: 1) N 34°04'47" E

408.33 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 12222; 2) N 26°01'08" E

834.67 FEET TO A 1/2" IRON ROD

WITH PLASTIC CAP STAMPED HLE PLS 12222; 3) N 22°35'00" E 911.98 FEET TO A 1/2" IRON ROD
WITH PLASTIC CAP STAMPED
HLE PLS 12222; 4) N 01°16'08" E 635.19 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED
HLE PLS 12222; 5) N
20°18'04" E 80.02 FEET TO THE INTERSECTION OF SAID SWALE AND THE EXTENSION OF THE
NORTH LINE OF SAID SECTION 31, SAID
POINT BEING MARKED BY A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE PLS 2222;
THENCE S 89°55'25" E 34.75 FEET TO THE
POINT OF BEGINNING.

TRACT 2:

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 30 AND 31, TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, AND THE SOUTH HALF OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 41 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A $\frac{1}{2}$ X 30 INCH IRON PIN WITH A YELLOW PLASTIC CAP INSCRIBE "LS 4430", IN THE VICINITY OF THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, SAID POINT BEING LOCATED AT 43°33'10.4" NORTH LATITUDE, 111°33'55.4" WEST LONGITUDE, ALL BEARING IN THIS DESCRIPTION ARE BASED ON A HOUR-ANGLE SOLAR OBSERVATION TAKE AT THAT POINT THENCE N89°44'19"E ALONG THE APPROXIMATE NORTH LINE OF SAID SECTION 31, 2390.74 FEET TO A $\frac{1}{2}$ X 24 INCH IRON PIN WITH AN ORANGE PLASTIC CAP STAMPED "JACOBSON LS 4430", THENCE N89°44'19"E 44.50 FEET TO A POINT ON A SWALE, THE POINT OF BEGINNING; THENCE FOLLOWING THE SWALE IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE FOLLOWING FOUR (4) COURSES: (1) N48°36'48"E 326.29 FEET THENCE (2) N68°00'48"E 575.92 FEET; THENCE (3) N81°03'33"E 253.07 FEET; THENCE (4) N57°08'47"E 301.73 FEET TO A $\frac{1}{2}$ X 24 INCH IRON PIM WITH AN ORANGE PLASTIC CAP STAMPED "JACOBSON LS 4430", THENCE FOLLOWING A SWALE IN A SOUTHERLY AND SOUTHWESTERLY DIRECTION THE FOLLOWING ELEVEN (11) COURSES: (1) S15°07'54"W 460.02 FEET THENCE (2) S21°07'12"W 463.02 FEET; THENCE (3) S47°59'37"W 451.99 FEET; THENCE (4) S9°00'22"W 245.41 FEET; THENCE (5) S44°37'31"W 950.76 FEET; THENCE (6) S3°14'21"W 320.50 FEET; THENCE (7) S35°37'51"W 244.95 FEET; THENCE (8) S62°58'23"W 298.48 FEET; THENCE (9) S48°04'47"W 985.01 FEET; THENCE (10) S36°09'09"W 1317.60 FEET; THENCE (11) S30°18'08"W 741.46 FEET TO A $\frac{1}{2}$ X 24 INCH IRON PIN WITH AN ORANGE PLASTIC CAP STAMPED "JACOBSON LS 4430", AT THE SOUTHMOST EXTREMITY OF SAID SWALE; THENCE N00°27'26"W ALONG AN EXISTING FENCE 942.48 FEET TO A FENCE CORNER' THENCE N88°24'24"W ALONG AN EXISTING FENCE 1265.08 FEET TO A FENCE CORNER; THENCE ALONG THE SOUTHERLY EDGE OF A CLEARED AND CULTIVATED FIELD ON THE FOLLOWING FOUR (4) COURSES; (1) N47°29'18"E 244.79 FEET; THENCE (2) N84°12'56"E 395.18 FEET; THENCE (3) N71°23'42"E 324.52 FEET; THENCE (4) S67°45'49"E 96.56 FEET TO A POINT IN A SWALE; THENCE FOLLOWING SAID SWALE IN A NORTHERLY AND EASTERLY DIRECTION THE FOLLOWING SEVEN (7) COURSES: (1) N31°51'21"E 520.95 FEET; THENCE (2) N25°56'47"E 515.85 FEET; THENCE (3) N46°17'56"E 802.01 FEETL THENCE (4) N31°14'49"E 564.31 FEET; THENCE (5) N48°06'12"E 744.01 FEET; THENCE (6) N40°31'43"E 773.83 FEET; THENCE (7) N48°36'48"E 305.89 FEET TO THE POINT OF BEGINNING.

ALSO:

THE SE $\frac{1}{4}$ LESS AND EXCEPTING THEREFROM THAT PORTION OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ LYING SOUTH OF THE CENTERLINE OF A FARM ROAD LYING GENERALLY ALONG THE NORTH BOUNDARY OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, AND EAST OF THE CENTERLINE OF THE EASTERN MOST

PERMANENT EROSION SWALE LOCATED IN THE S1/2SE1/4SE1/4, ALL IN SECTION 30,
TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

TRACT 3:

A PORTION OF GOVERNMENT LOTS 3 AND 4 AND THE EAST 72 OF THE SOUTHWEST
1/4 OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN,
BONNEVILLE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 31 FROM WHICH THE
SOUTH 14 CORNER OF SAID SECTION BEARS S89°56'02" E 2018.13 FEET, THE BASIS OF
BEARINGS FOR THIS DESCRIPTION; THENCE; N 00°06'12" E 828.49 FEET ALONG THE
WEST LINE OF SAID SECTION TO A POINT BEING MARKED BY A 1/2" IRON ROD WITH
PLASTIC CAP STAMPED HLE PLS 12222; THENCE
N 30°55'42" E 753.19 FEET TO A POINT BEING MARKED BY A 1/2" IRON ROD WITH
PLASTIC CAP STAMPED HLE PLS 12222; THENCE
N 36°46'43" E 1317.60 FEET TO A POINT BEING MARKED BY A 1/2" IRON ROD WITH
PLASTIC CAP STAMPED HLE PLS 12222;
THENCE N 48°42'21" E 174.40 FEET TO A POINT BEING MARKED BY A 1/2" IRON ROD
WITH PLASTIC CAP STAMPED HLE PLS
12222, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHWEST MR OF SAID
SECTION; THENCE S 89°55'44" E 713.90 FEET ALONG
SAID NORTH LINE TO THE NORTHEAST CORNER (CENTER 1/4 CORNER) OF THE
SOUTHWEST 1/4 OF SAID SECTION, BEING MARKED BY A 5/8"
IRON ROD WITH 25" ALUMINUM CAP STAMPED HARPER-LEAVITT ENGINEERING PLS
12222; THENCE S 00°05'15" W 1626.40
FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 TO A POINT BEING MARKED BY
A 1/2" IRON ROD WITH PLASTIC CAP STAMPED HLE
PLS 12222; THENCE S 29°54'52" W 346.83 FEET TO A POINT BEING MARKED BY A 1/2"
IRON ROD WITH PLASTIC CAP STAMPED :
HLE PLS 12222; THENCE S 15°28'35" E 265.94 FEET TO A POINT BEING MARKED BY A
1/2" IRON ROD WITH PLASTIC CAP STAMPED
HLE PLS 12222; THENCE S 35° 38' 11" E 173. 24 FEET TO A POINT BEING ON SAID EAST
LINE AND BEING MARKED BY A 1/2" IRON
ROD WITH PLASTIC CAP STAMPED HLE PLS 12222, THENCE CONTINUING ALONG SAID
EAST LINE S 00° 05 15" W 422. 34 FEET TO
THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 (SOUTH 1/4 CORNER), SAID POINT
BEING MARKED BY A 5/8" IRON ROD WITH 2. 5"
ALUMINUM CAP STAMPED HARPER LEAVITT ENGINEERING PLS 12222; THENCE N 89°
56' 02" W 2018.13 FEET ALONG THE SOUTH
LINE OF SAID SOUTHWEST 1/4 THE POINT OF BEGINNING.)

TRACT 4:

THAT PORTION OF THE SW1/4 OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO, LYING WEST OF THE CENTER LINE OF THE LITTLE PINE CREEK ROAD INCLUDING SAID LITTLE PINE CREEK ROAD'S EXTENSION NORTH OF U.S. HIGHWAY NO. 29

SUBJECT TO:

STATE OF IDAHO EASEMENT NO. 220 AND TO A RESERVATION TO THE STATE OF IDAHO AND/OR ITS ASSIGNS OF A ROAD RIGHT-OF-WAY FOR THE EXISTING ROAD KNOWN AS THE LITTLE PINE CREEK ROAD AS IT TRAVERSES BOTH NORTHERLY AND SOUTHERLY FROM U.S. HIGHWAY 26.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 27, 2026

SUMMERS FARMS LLC
70 N 3500 E
RIGBY ID 83442-5634

Re: Change in Ownership for Water Right No(s): 23-11333

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at 208-525-7161.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)
Cc: WATER DISTRICT 01