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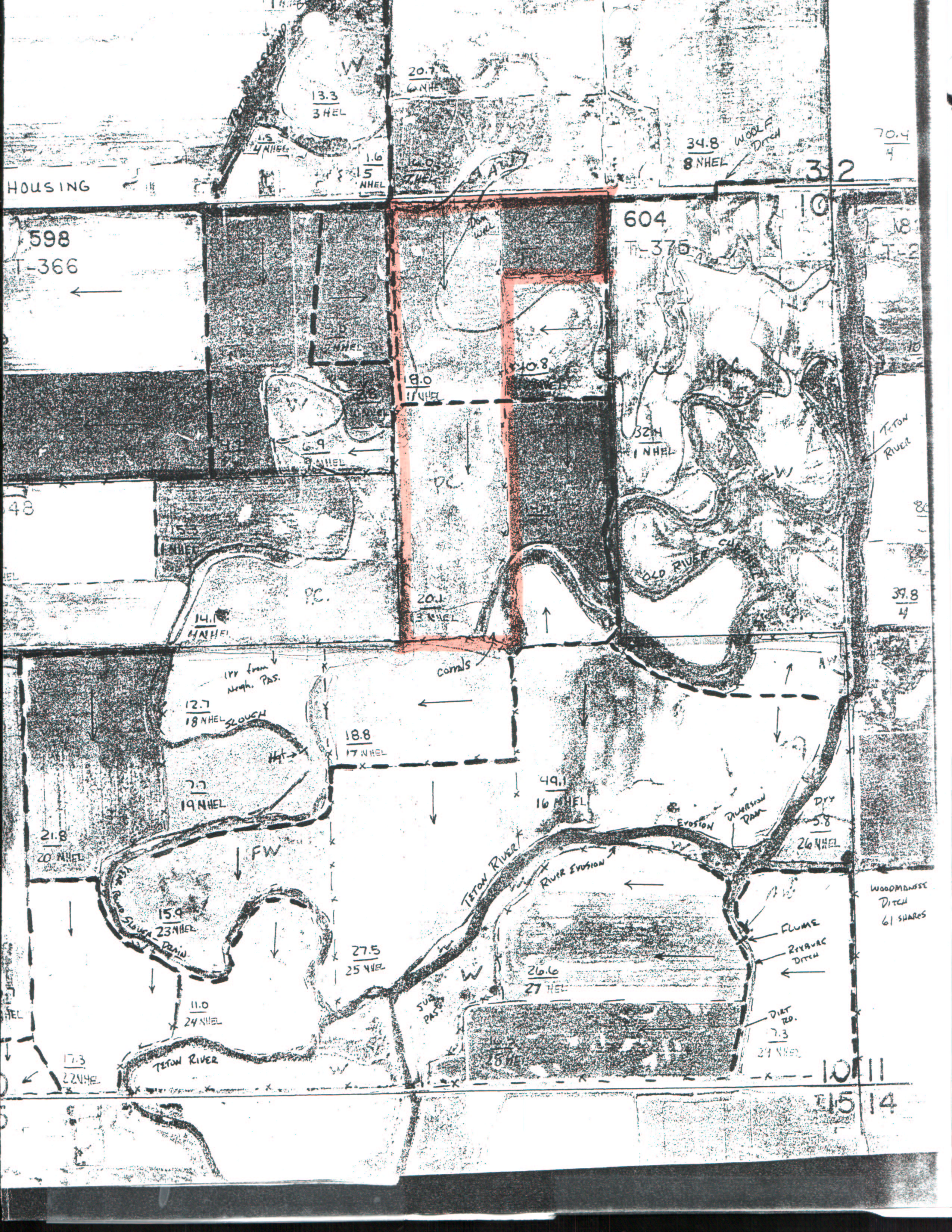
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BREJ Inc.



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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 22-13137
Date Received: 11/21/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BREJ INC Phone: (208) 356-4346

PO BOX 51
SUGAR CITY ID USA 83448

2. Date of Priority: 04/01/1898

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	40E	36	NW SE NW	FREMONT

5. Description of diverting works:

HEADWORKS OF TETON ISLAND FEEDER CANAL INTO NELSON JACOBS DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.42	

7. Total Quantity Appropriated is:
0.42 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

A2213137



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	40E	10	NW	NE	IRRIGATION	27
			SW	NE	IRRIGATION	20
					Section Acres	47
					Total Acres	47

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

Log for claim 22-13137

Spatial Dynamics BTD

8/23/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	10	NWNE	27	27	
06n40e	10	SWNE	20	20	
Totals:			47	47	



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 2000

BREJ INC
PO BOX 51
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR A22-00415B, A22-00416B,
A22-13129

Dear Sir or Madam:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00415B split into:
A22-13137: 0.42 CFS, 47 ACRES, BREJ INC
A22-13138: 1.76 CFS, 196 ACRES, ALLEN/KLINGLER

A22-00416B split into:
A22-13139: 0.22 CFS, 47 ACRES, BREJ INC
A22-13140: 0.90 CFS, 196 ACRES, ALLEN/KLINGLER

A22-13129 split into:
A22-13141: 0.39 CFS, 47 ACRES, BREJ INC
A22-13142: 1.61 CFS, 196 ACRES, ALLEN/KLINGLER

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

DELOB
JC 6/29/00

RECEIVED

JUN 29 2000

RECEIVED

JUN 28 2000

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): A22-00416B, A22-13129, A22-00415B
 Adjudication Claim No(s): A22

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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

Barrus Brothers Corporation
2964 N 2000 E P.O. Box 51
Sugar City ID 83448

4. New Owner/Claimant(s)

BREJ Inc

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
P. O. Box 51

City, State and ZIP Code

Sugar City Idaho

New Telephone Number

(208) 356-4346

5. Date you acquired the property

March 13, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 47 Number and type of stock

Diversion rate in CFS 56 + 44 cfs waste water Number of homes you acquired 0 Other uses

7. Signature of New Owner(s) BREJ Inc
 or Claimant(s) Brent Barrus Pres.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

split water right proportionally

Brent Barrus

11/6/2000
 AB

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights proportionately.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

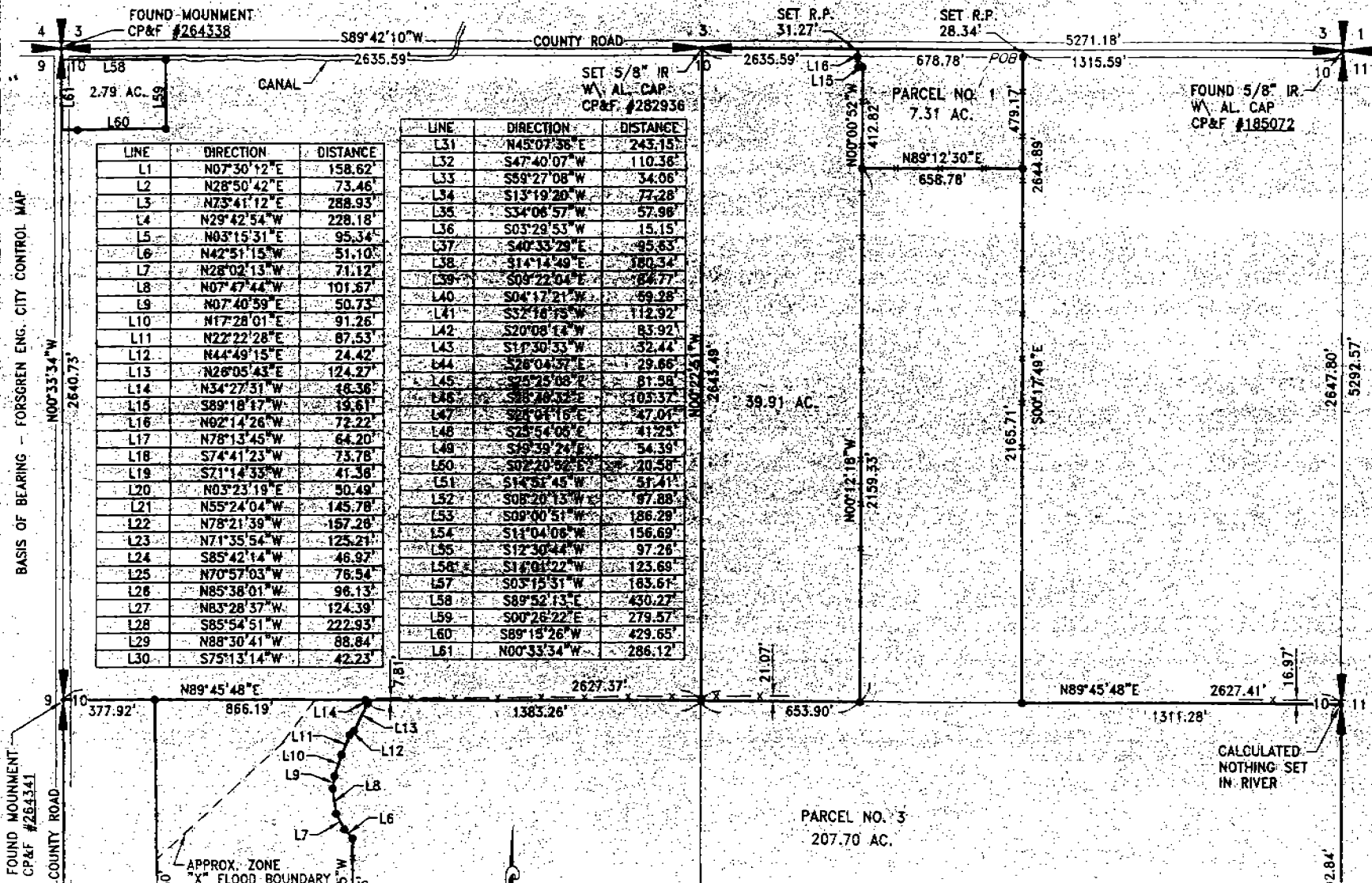
IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

Part of Section 10, T. 6 N., R. 40 E., B.M. MADISON COUNTY, IDAHO

SURVEYORS' CERTIFICATE

I, Kim H. Leavitt, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Kim H. Leavitt, License No. 4563 Date _____



Part of the
Beginning at
and running
fence line
north line
Parcel cont.

Part of the
Beginning at
running the
River, thence
N 9°22'04"
N 3°29'53"
N 59°27'08"
N 37°50'25"
S 88°30'41"
S 85°38'01"
S 71°35'54"
S 72°19'19"
thence S 2°
S 28°01'16"
S 22°52'05"
S 9°00'51"
S 14°01'22"

Parcel cont.

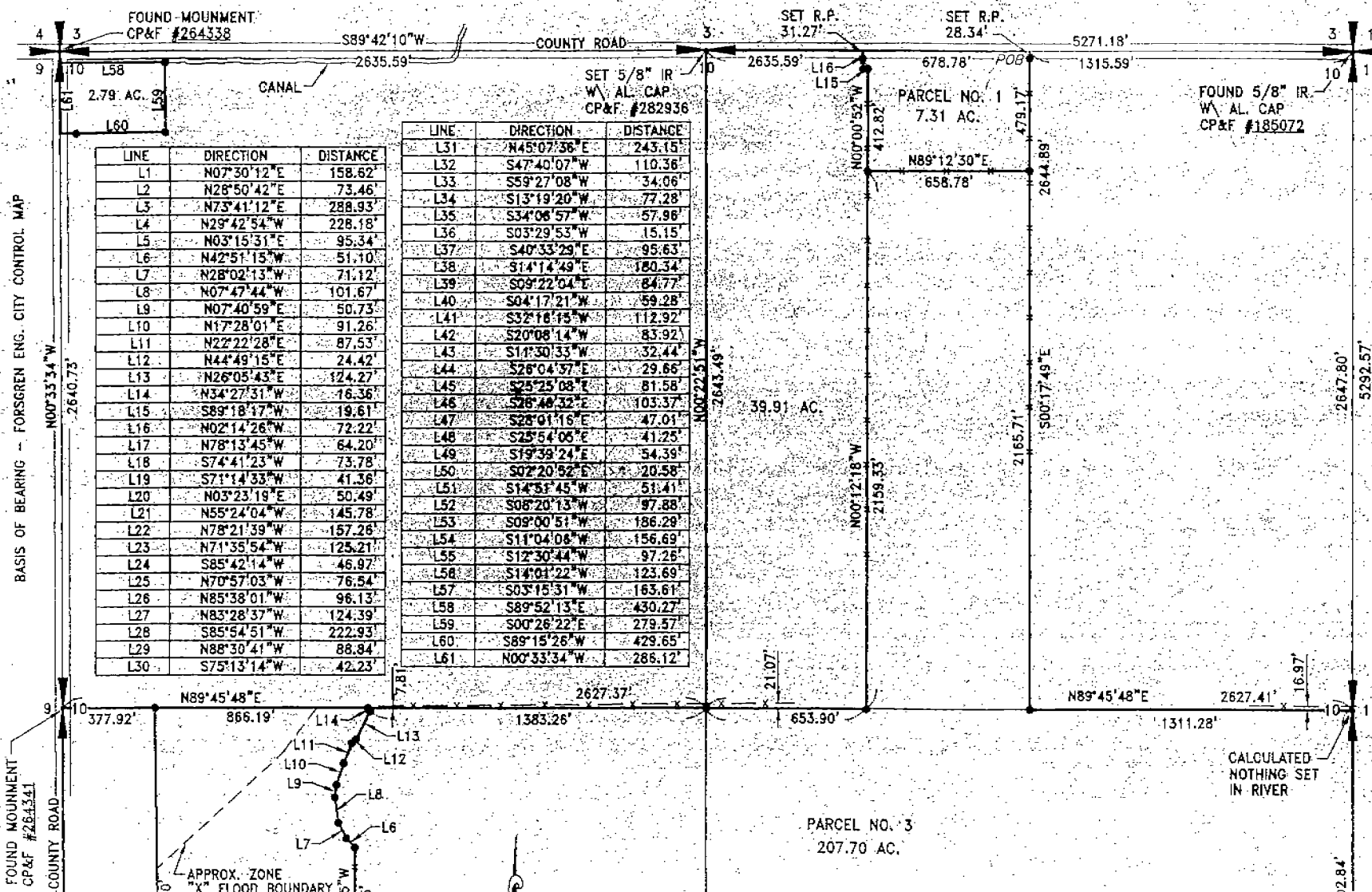
Part of Section
Beginning at
and running
(9) courses
(4) thence N
thence N 3°1'
western edge
(2) thence N
thence N 17°
N 26°05'43"
N 88°45'48"
feet along so
thence S 00°
to the east 1
64.20 feet to
the southerly
73.78 feet
N 5°23'19" E
two courses
(4) thence S
thence N 83°
S 75°13'14" W
S 45°07'38" W
S 13°19'20" W

Part of Section 10, T. 6 N., R. 40 E., B.M. MADISON COUNTY, IDAHO

SURVEYORS CERTIFICATE

I, Kim H. Leavitt, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Kim H. Leavitt, License No. 4563 Date



Being Re-recorded to correct legal description

WARRANTY DEED

For Value Received **MARU CORPORATION, AN IDAHO CORPORATION**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

BREJ INC.

whose address is: **PO Box 51, Sugar City, ID 83448**

Hereinafter called the Grantee, the following described premises situated in **Madison** County, Idaho, to-wit:

Part of the NE1/4 of Section 10, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho described as:

Commencing at the North 1/4 Corner of said Section 10, and running thence N 89°42'0"E ²²⁰ 200 feet along section line; thence South 2643.49 feet to the East-West centerline of section 10; thence South 89°45'48" West ²⁰⁰ 200 feet along said centerline; thence North 00°22'51" West 2643.49 feet to the point of beginning. *LB*

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 their 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.

Dated: April 4, 2000

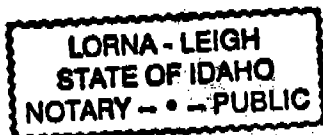
MARU CORPORATION, AN IDAHO CORPORATION

C. LaMar Barrus Jr.
By: C. LaMar Barrus Jr., President

STATE OF IDAHO

COUNTY OF MADISON

On this ^{4th} 21st day of April, in the year 2000, before me, a Notary Public in and for said State, personally appeared C. LaMar Barrus, 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.



283392
Microfilm No. _____
Day APR 05 2000 At 902
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ 3 - NA Deputy
Recorded At Request of
Brent R. Barrus
P.O. Box 51
Sugar City, ID 83448
Lorna Leigh
Notary Public of Idaho
Residing in Madison, Idaho
Commission Expires: 2-16-2001

Instrument # 284321

REXBURG MADISON, IDAHO

2000-06-08 11:10:00 No. of Pages: 1

Recorded for: BRENT R. BARRUS

MARILYN R. RASMUSSEN Fee: 3.00

Ex-Officio Recorder Deputy NA

CORPORATE GRANT DEED

This deed is being re-recorded to correct legal description

GRANTOR, **BARRUS BROTHERS, CORP.**, an Idaho Corporation, for a good and valuable consideration the receipt whereof is hereby acknowledged does hereby GRANT, REMISE and RELEASE unto **BREJ, INC.**, an Idaho Corporation, of 226 East 3rd South, Sugar City, Madison County, Idaho, as GRANTEE, and to Grantee's heirs and assigns, forever, all of Grantor's interest, of whatever kind and nature, without warranty pertaining to the following described real estate, situated in Madison County, Idaho, to-wit:

PARCEL 1: *NW*

Part of the ~~NE~~ ^{NW} ¼ of the NE ¼ of Section 10, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho described as:

Beginning at a point that is South 89°42'10" West 1315.59 feet along the section line from the NE corner of said Section 10, and running thence South 00°17'49" East 479.17 feet to an existing fence line; thence South 89°12'30" West 658.78 feet along said fence line; thence North 00°00'52" West 412.82 feet; thence South 89°18'17" West 19.61 feet; thence North 2°14'26" West 72.22 feet to the north line of said Section 10; thence North 89°42'10" East 678.78 feet along said section line to the point of beginning.

*7.31
acres*

Parcel contains 7.31 acres and is subject to the county road right-of-way along the north side.

Together with .56 CFS, priority date May 1, 1889, Decreed irrigation water from the Teton River with point of diversion at T07N R40E S36, NWSNW, Fremont County, Idaho.

Together with 5 acre feet Fremont-Madison Irrigation District Water.

Together with .44 cfs of waste water in the Wolfe Ditch Adjudication Claim #A22-13129.

PARCEL 2:

Part of the NE¼ of Section 9, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as:

Beginning at a point that is South 00°33'34" East 825.00 feet along the section line from the NE corner of said Section 9, and running thence South 00°33'34" East along said section line 795.55 feet; thence North 89°54'42" West 1912.83 feet to the east right-of-way line of a county road said road being the extension of Teton Street; thence North 00°19'51" West along said right-of-way line 789.39 feet; thence North 89°54'16" East 1909.62 feet to the point of beginning.

*Section
9*

Parcel contains 34.77 acres and is subject to the county road right-of-way and existing canal along the east side.

Together with 5 shares of Teton Island Canal Water.

Instrument # 284077

REXBURG MADISON, IDAHO

2000-05-18 09:00:00 No. of Pages: 3

Recorded for : BRENT BARRUS

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy *[Signature]* Fee: 9.00

Together with 33 acre feet of Fremont-Madison Irrigation District Water.

282996

PARCEL 3:

Part of the NE¼ of Section 9, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as:

Beginning at a point that is South 89°54'16" West 1906.32 feet along the section line and South 00°19'51" East 824.98 feet from the Northeast Corner of said Section 9, and running thence South 00°19'51" East 789.39 feet along the east line of a county road; thence North 89°54'42" West 60.00 feet to the west line of said county road; thence North 00°19'51" West 789.20 feet along said west line; thence North 89°54'16" East 60.00 feet to the point of beginning.

Section 9

Parcel contains 1.08 acres.

PARCEL 4:

Part of the NE¼ of Section 10, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, described as:

Commencing ~~200~~ ^{REB 220} feet from the North ¼ corner of said Section 10, and running thence North 89°42'10" East 441.22 feet along the section line; thence South 2°14'26" East 72.22 feet; thence North 89°18'17" East 19.61 feet to an existing fence line; thence along said fence line the following two (2) courses; (1) South 00°00'52" East 412.82 feet; (2) thence South 00°12'18" East 2159.33 feet to the east-west centerline of said Section 10; thence South 89°45'48" West 453.90 feet along said centerline; thence North 00°22'51" West 2643.49 feet to the point of beginning.

26.78 acres

Together with 15 acre feet of Fremont-Madison Irrigation District Water.

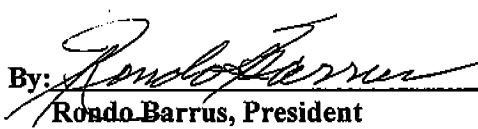
TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set their hand and seal this

13 day of March, 2000.

GRANTOR:

BARRUS BROTHERS CORP, an Idaho Corporation,

By: 

Rondo Barrus, President

STATE OF IDAHO

County of Madison

)
:SS
)

On this 13 day of March, in the year of 2000, before me, a Notary Public in and for said State personally appeared **RONDO BARRUS**, known 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.



Sharon L. Bell
Notary Public for Idaho
Residing In: Rehburg, Id.
My Commission Expires: 7-5-2005

282996

Microfilm No. _____
Day MAR 13 2000 At 1605

MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER

Fee \$ 9- 75 Deputy

Recorded At Request of

Rondo Barrus

PO Box 51

Dugan. 83448