

# 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<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| <del>22-7364</del>   |                             |          |                      |                             |          |
| <del>22-2256D</del>  |                             |          |                      |                             |          |
| ADJ 22-2178          |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

*Processed Separately*

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**JUL 10 2009**

Department of Water Resources  
Eastern Region

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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 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.

Department of Water Resources  
Eastern Region

**JUL 07 2009**

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

DKJ Farms, LLC  
 665 Centennial Loop  
 Rexburg, ID 83440

4. New Owner/Claimant(s)

BMJ Farms, LLC  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

1282 S. 2nd E.

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

( 208 ) 356-9079 Email: \_\_\_\_\_

5. Date you acquired the property June 24, 2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

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.

7. Signature(s) of New Owner(s) or Claimant(s) Ben Jern Managing Member  
(title if applicable)  
BMJ Farms, LLC  
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by BMJ  
 Received by BMJ  
 Processed by                      AJ

Date 7/10/09  
 Date 7/10/09  
 Date                     

Receipt Amt. \$ 75  
 Receipt No. E035199  
 WR                      Date

## WARRANTY DEED

FOR VALUE RECEIVED, **DKJ FARMS, LLC**, an Idaho Limited Liability Company c/o Dallan Jeppesen, Managing Member, of 665 Centennial Loop, Rexburg, ID 83440, hereinafter called "Grantor" hereby remise, release, and forever warrants unto **BMJ FARMS, LLC**, an Idaho Limited Liability Company c/o Bevan Jeppesen, Managing Member, 1282 S. 2<sup>nd</sup> E., Rexburg, Idaho 83440, hereinafter called "Grantee", the following real property located in Madison County, State of Idaho, to-wit:

**Twp. 6 N., Rge. 41 E., Boise Mer.:**

Section 22: SW $\frac{1}{4}$

Section 27: NW $\frac{1}{4}$ , all that portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$  lying North and East of the centerline of Moody Creek.

Excepting therefrom: Commencing at the Southwest Corner of the NW $\frac{1}{4}$  of said Sec. 27, and running thence North 500 feet; thence East 250 feet; thence South 500 feet; thence West 250 feet to the point of beginning.

Also Excepting that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  lying South of the County Road.

Section 27: SE $\frac{1}{4}$ SW $\frac{1}{4}$  lying West of the County Road.

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$  lying North of the centerline of Moody Creek. Excepting therefrom: Commencing at a point 360 feet South of the NE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 28, and running thence West 120 feet; thence South 1020 feet; thence East 120 feet; thence North 1020 feet to the point of beginning.

Section 34: All that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  lying East of the centerline of Moody Creek.

Also that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying North of the centerline of Moody Creek.

Section 34: NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying West of the County Road.

Also together with the following described personal property:

Any and all irrigation equipment, including but not limited to: pivots, pumps, panels, electric motors & hand lines.

Potato cellars.

Approximately 498.02 Acres (hereinafter "the premises").

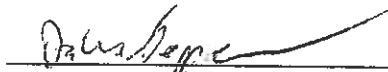
Together with all water and water rights, including but not limited to the following specific water rights:

22- 7364, 22-2256D & 22-2178

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, unto the said Grantee, its successors and assigns forever. Grantor does hereby covenant to and with the said Grantee, that it is one of the owners in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except as noted.

DATED This 24<sup>th</sup> day of June, 2009.

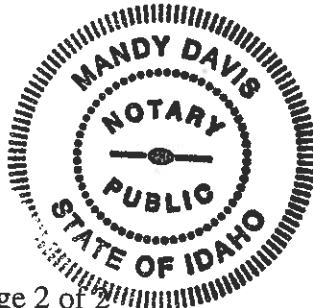
**DKJ FARMS, LLC**

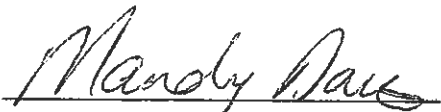
  
By: **Dallan Jeppesen**  
Managing Member

**Acknowledgment by Limited Liability Company**

STATE OF IDAHO,                    )  
                                          ss.  
County of Madison.                )

On this 24<sup>th</sup> day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, **DALLAN K. JEPPESEN** known to me to be the Managing Member of **DKJ FARMS, LLC**, the Limited Liability Company that executed the foregoing instrument and acknowledged to me that such Company executed the same.



  
Notary Public for Idaho  
Residing at: St. Anthony, Idaho  
My Commission Expires: 6/24/2011