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JUL 15 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

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. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-4204	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: FLF Diamond Peak, LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bennett Lee and Judy Lee, husband and wife

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or4054 South 15 EastIdaho FallsID83404

Mailing address

City

State

Zip

208-590-7421ben.lee46@icloud.com

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: November 5, 2021

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). NA

☒ 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. NA

☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an NA

IRS Form W-9

8. Signature: Bennett Lee

Signature of new owner/claimant

Title, if applicable

Date

Bennett Lee

Print name

- Signature: Judy Lee

Signature of new owner/claimant

Title, if applicable

Date

Judy Lee

Print name

For IDWR Office Use Only:

Received by DLH Date 7/15/22Receipt No. E048321Receipt Amt. \$25.00Active 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

Processed by dlDate 7/28/22

Instrument # 468566

RIGBY, JEFFERSON, IDAHO

11-05-2021 01:54:50 PM

No. of Pages: 5

Recorded for: ALLIANCE TITLE - REXBURG OFFICE

COLLEEN C POOLE

Fee: \$15.00

Ex-Officio Recorder Deputy: LK

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED

FLF Diamond Peak, LLC, a Delaware limited liability company

(the "Grantor"), does hereby and convey unto

Bennett Lee and Judy Lee, husband and wife

whose current address is

4054 South 15 East, Idaho Falls, Idaho 83404

(the "Grantee"), the following described premises, in Jefferson County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, successors and assigns forever. Grantor warrants that Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any and all easements, restrictions, agreements and encumbrances of record or appearing on the land as of the date of this instrument, including, without limitation, all matters set forth at **Exhibit B** attached.

[Signatures and notary on following page]

[Signature Page to Special Warranty Deed]

Dated: November 3, 2021

FLF DIAMOND PEAK, LLC
a Delaware limited liability company

By: [Signature]
Baptiste Tellier
Its: Authorized Signatory

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN MATEO)

On Nov. 3, 2021, before me, MAULIK ANIL PANDIT, NOTARY PUBLIC, (here insert name and title of the officer), personally appeared Baptiste Tellier, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(notary stamp or seal)

WITNESS my hand and official seal.

Mandit
Signature (Seal)

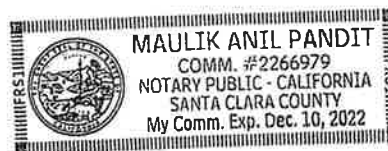


**EXHIBIT A
LEGAL DESCRIPTION**

Part of the West Half of Section 25, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho, described as follows:

Beginning at a point on a non-tangent curve in the center of an existing County Road (200 North) that is South 00°05'25" East 1009.75 feet along the Section line from the Northwest Corner of said Section 25 and running thence along the centerline of said existing County Road (200 North) the following two (2) courses:

(1) 284.22 feet along said curve to the left, Curve Data: Delta = 11°37'55", Radius = 1400.00 feet, Chord bearing = North 47°55'30" East 283.73 feet; thence

(2) North 42°06'32" East 254.27 feet;

thence leaving said centerline North 72°16'45" East 246.17 feet;

thence North 43°37'38" East 204.47 feet;

thence South 88°57'57" East 1739.90 feet;

thence South 08°26'54" East 208.84 feet;

thence South 39°58'48" East 199.43 feet to the East line of the North-South centerline through the Section;

thence South 00°01'26" West 4502.42 feet along said North-South centerline to the South Quarter Corner of said Section 25;

thence North 89°41'07" West 2646.52 feet to the Southwest Corner of said Section 25;

thence North 00°05'25" West 2643.37 feet to the West Quarter Corner of said Section 25;

thence North 00°05'25" West 1633.62 feet along the Section line to the Point of Beginning.

EXHIBIT B
PERMITTED EXCEPTIONS

1. Taxes, including any assessments collected therewith, for the year 2021 which are a lien not yet due and payable.
2. Levies and assessments of Butte and Market Lake Canal Co., and the rights, powers and easements of said district as by law provided.
3. Levies and assessments of the Bonneville-Jefferson Ground Water District, and the rights, powers and easements of said district as by law provided.
4. Ditch, road and public utility easements as the same may exist over said premises.
5. Rights of the public in and to that portion of the premises lying within East 200 North & North 2600 East.
6. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power and Light Company
Purpose: Public Utilities
Recorded: June 21, 1945
Book 131 of Misc. Page 258
7. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power and Light Company
Purpose: Public Utilities
Recorded: May 10, 1951
Instrument No.: 94019
Book: 154 of Miscellaneous, Page: 5
Affects: A portion of East Half Northwest Quarter; Northeast Quarter Southwest Quarter of Section 25; East Half East Half; Northwest Quarter; North Half Southwest Quarter of Section 26; and North Half Northeast Quarter; Southwest Quarter Northeast Quarter; Northwest Quarter Southeast Quarter; East Half West Half of Section 27
8. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: December 29, 1959
Instrument No.: 117368
Book: 166 of Miscellaneous, Page: 50
Affects: West Half Northwest Quarter and North Half Southwest Quarter Section 25
9. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Utah Power & Light Company
Purpose: Public Utilities
Recorded: August 5, 1959
Instrument No.: 119541
Book: 166 of Miscellaneous, Page: 74
Affects West Half Southwest Quarter Section 25

10. Terms, provisions, limitations and obligations, whether expressed or implied, as contained in the easement recorded as Instrument No. 435388, identified in Schedule A as Parcel 2.

11. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein:

Lessor: FLF Diamond Peak, LLC

Lessee: Mickelsen Properties, LLC

Disclosed by: Memorandum of Farm Lease

Recorded: February 20, 2018

Instrument No.: 435390

12. Rights, interests or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled ALTA/NSPS Land Title Survey FLF Diamond Peak, LLC

Dated: February 5, 2018

Prepared by: Benchmark Land Surveying

Fact(s): county road, field road, existing pump, easements, overhead power lines

Project No.: 18010



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 1, 2022

BENNETT LEE
JUDY J LEE
4054 S 15TH E
IDAHO FALLS ID 83404-8200

Re: Change in Ownership for Water Right No: 35-4204

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debby Judd
Technical Records Specialist

Enclosures

c: CONTERRA AGRICULTURAL CAPITAL LLC – *via email*
WATER DISTRICT 120 – *via email*