

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

MAR 21 2022

Department 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.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 35-7619A <b>OK</b>    | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 35-8572 <b>OK</b>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 35-7619B <b>OK</b>    | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 35-8082 <b>OK</b>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 35-2079 <b>OK</b>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 35-7939 <b>OK</b>     | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Kenneth R. Horsch, Dwight Horsch  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JAG FARMS, LLC, BIG J FARMS, LLC  
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

3656 Gehring Rd. American Falls ID 83211  
Mailing address City State Zip  
208-286-5031 208-226-5031 jared@gehringag.com, jordan@gehringag.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: March 10, 2022

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐  
☐ 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): **SUPPORT DATA**  
☐ \$25 per *undivided* water right.  
☐ \$100 per *split* water right. **IN FILE # 35-2079**  
☐ 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: Jared A. Gehring Member 3/16/2022  
Signature of new owner/claimant Title, if applicable Date  
Print name  
Signature: Jordan C. Gehring member 3/16/2022  
Signature of new owner/claimant Title, if applicable Date  
Print name

Received by JB Date 3/21/2022 For IDWR Office Use Only: E047924 \$300.-  
Active in the Water Supply Bank? Yes ☐ No ☐ Receipt No. E047922 Receipt Amt. \$300.-  
Name on W-9 JB Approved by JB Processed by JB Date 10/16/2022  
If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Recording requested by:

Thomas J. Budge  
Racine Olson, PLLP  
201 E. Center Street; P.O. Box 1391  
Pocatello, Idaho 83204

**Instrument # 743330**

BINGHAM COUNTY, IDAHO  
2022-03-10 01:55:05 PM No. of Pages: 4  
Recorded for: ALLIANCE TITLE - BLACKFOOT OFF  
PAMELA W. ECKHARDT Fee: \$15.00  
Ex-Officio Recorder Deputy RWixom  
Index To: WARRANTY DEED  
Electronically Recorded by Simplifile

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(Space above for Recorder's use)

## WARRANTY DEED

**Grantors:** Dwight W. Horsch and Kathleen M. Horsch, husband and wife, and Kenneth R. Horsch and Marilyn J. Horsch, as Individuals and as Trustees of the Kenneth & Marilyn Horsch Revocable Trust dated November 22, 2011

**Grantees:** JAG Farms, L.L.C., an Idaho limited liability company  
Big J. Farms, L.L.C., an Idaho limited liability company  
3656 Gehring Road  
American Falls, Idaho 83211



For value received, Grantors hereby convey, grant, and warrant unto Grantees their entire right, title, and interest in and to the real property in Bingham County, Idaho, described in **Exhibit A** attached hereto (the "Property"), together with all fixtures, improvements, appurtenances, rents, issues, and profits that relate or pertain to the Property, to have and to hold the same unto Grantees and their successors and assigns forever.

Grantors covenant that they are the owners in fee simple of the Property, and that the Property is free and clear of any mortgages, liens, or other encumbrances except: (a) those of record in the real property records of Bingham County, Idaho; (b) current taxes, ordinances, and federal and state rights and reservations, including, without limitation, patents, oil, gas, and minerals; (c) conflicts in boundary lines, shortage in area, encroachments, or any other fact that a correct survey would disclose; (d) easements or claims of easement not shown by the public records; e) use restrictions and building and zoning regulations and ordinances of any governmental unit. Subject to the foregoing exceptions, Grantors will warrant and defend the Property against any and all lawful claims whatsoever.

[Signature Page Below]

GRANTORS:

Date: 3-9-2022

By: Kenneth R Horsch  
Kenneth R. Horsch

Date: 3-9-2022

By: Marilyn J. Horsch  
Marilyn J. Horsch

Date: 3-9-2022

By: Dwight W. Horsch  
Dwight W. Horsch

Date: 3-9-2022

By: Kathleen M. Horsch  
Kathleen M. Horsch

KENNETH & MARILYN HORSCH  
REVOCABLE TRUST

Date: 3-9-2022

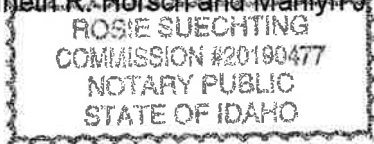
By: Kenneth R Horsch  
Kenneth R. Horsch, Trustee

Date: 3-9-2022

By: Marilyn J. Horsch, Trustee  
Marilyn J. Horsch, Trustee

STATE OF IDAHO )  
 : ss.  
County of Bannock )

This record was acknowledged before me on this 9 day of March, 2022, by  
Kenneth R. Horsch and Marilyn J. Horsch.

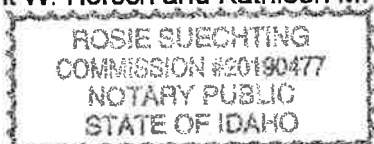


(SEAL)

Rosie Suechting  
NOTARY PUBLIC FOR IDAHO  
My Commission Expires: 3/7/2025

STATE OF IDAHO )  
 : ss.  
County of Bannock )

This record was acknowledged before me on this 9 day of March, 2022, by  
Dwight W. Horsch and Kathleen M. Horsch.

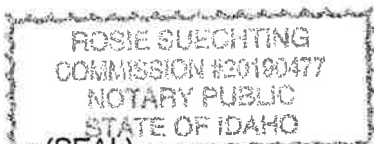


(SEAL)

Rosie Suechting  
NOTARY PUBLIC FOR IDAHO  
My Commission Expires: 3/7/2025

STATE OF IDAHO )  
 : ss.  
County of Bannock )

This record was acknowledged before me on this 9 day of March, 2022, by  
~~Dwight W. Horsch and Kathleen M. Horsch~~ \*as Trustees of the Kenneth & Marilyn Horsch Revo-  
cable Trust. \*Kenneth R Horsch and Marilyn J Horsch



(SEAL)

Rosie Suechting  
NOTARY PUBLIC FOR IDAHO  
My Commission Expires: 3/7/2025

**EXHIBIT "A"**

597931

**Parcel I:**

Township 6 South, Range 31 East, Boise Meridian, Bingham County, Idaho  
Section 1: South Half of the Northeast Quarter and the North Half of the Southeast Quarter

**Except**

Beginning at the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 1; thence  
South 89°52' West along the South line of said Northeast Quarter of the Southeast Quarter, 1179.4 feet to a point; thence  
North 43°59' East 356.5 feet to a point; thence  
North 64°11' East 447.2 feet to a point; thence  
North 53°54½' East 659.7 feet, more or less, to the East line of said Northeast Quarter of the Southeast Quarter; thence  
South 0°16' West along the said East line of Northeast Quarter of the Southeast Quarter of said Section 1, 837.2 feet, more or less, to the Point of Beginning.

**Parcel II:**

Township 6 South, Range 31 East, Boise Meridian, Bingham County, Idaho  
Section 12: Northwest Quarter of the Northeast Quarter

**Except**

Beginning at the Southeast corner of said Northwest Quarter of the Northeast Quarter; thence  
North 89°49' West along the South boundary line of said Northwest Quarter of the Northeast Quarter, 746.4 feet to a witness corner; thence  
North 23°09' East 422 feet to a point; thence  
North 39°20' East 402.7 feet to a point; thence  
North 66°03' East 199.3 feet to a point; thence  
North 45°40' East 129.8 feet to a point; thence  
North 3°56' East 172.3 feet to a point; thence  
North 24°15' East 134.4 feet, more or less, to a witness corner on the East boundary line of said Northwest Quarter of the Northeast Quarter; thence  
South 0°49' West along said East boundary line 1167.9 feet, more or less, to the Point of Beginning.

State of Idaho  
Department of Water Resources

# Water Right 35-7619A

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.225 0.45 0.9 Miles



State of Idaho  
Department of Water Resources

**Water Right**  
**35-7619B**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho  
Department of Water Resources

# Water Right 35-2079

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles

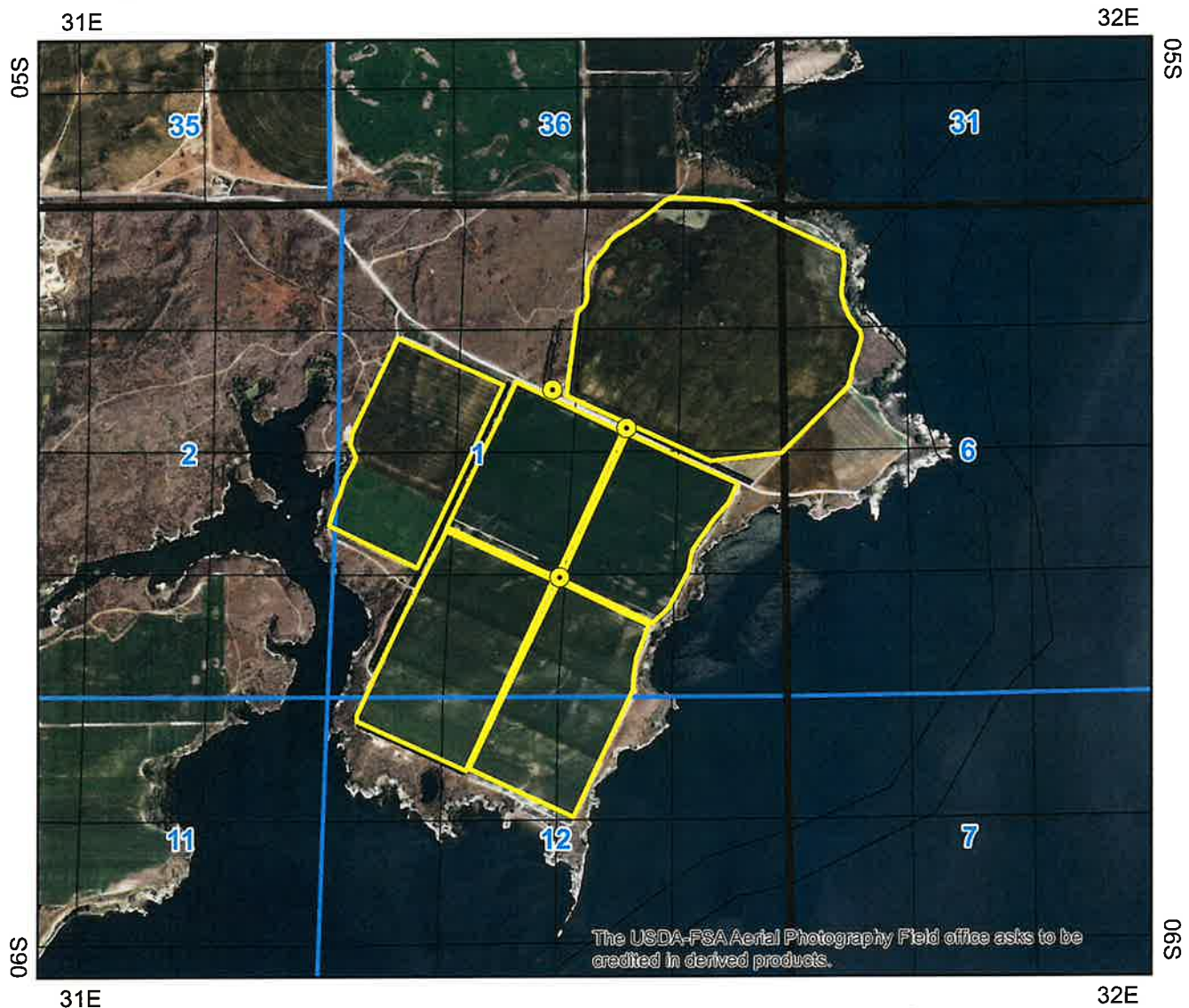


State of Idaho  
Department of Water Resources

# Water Right 35-7939

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



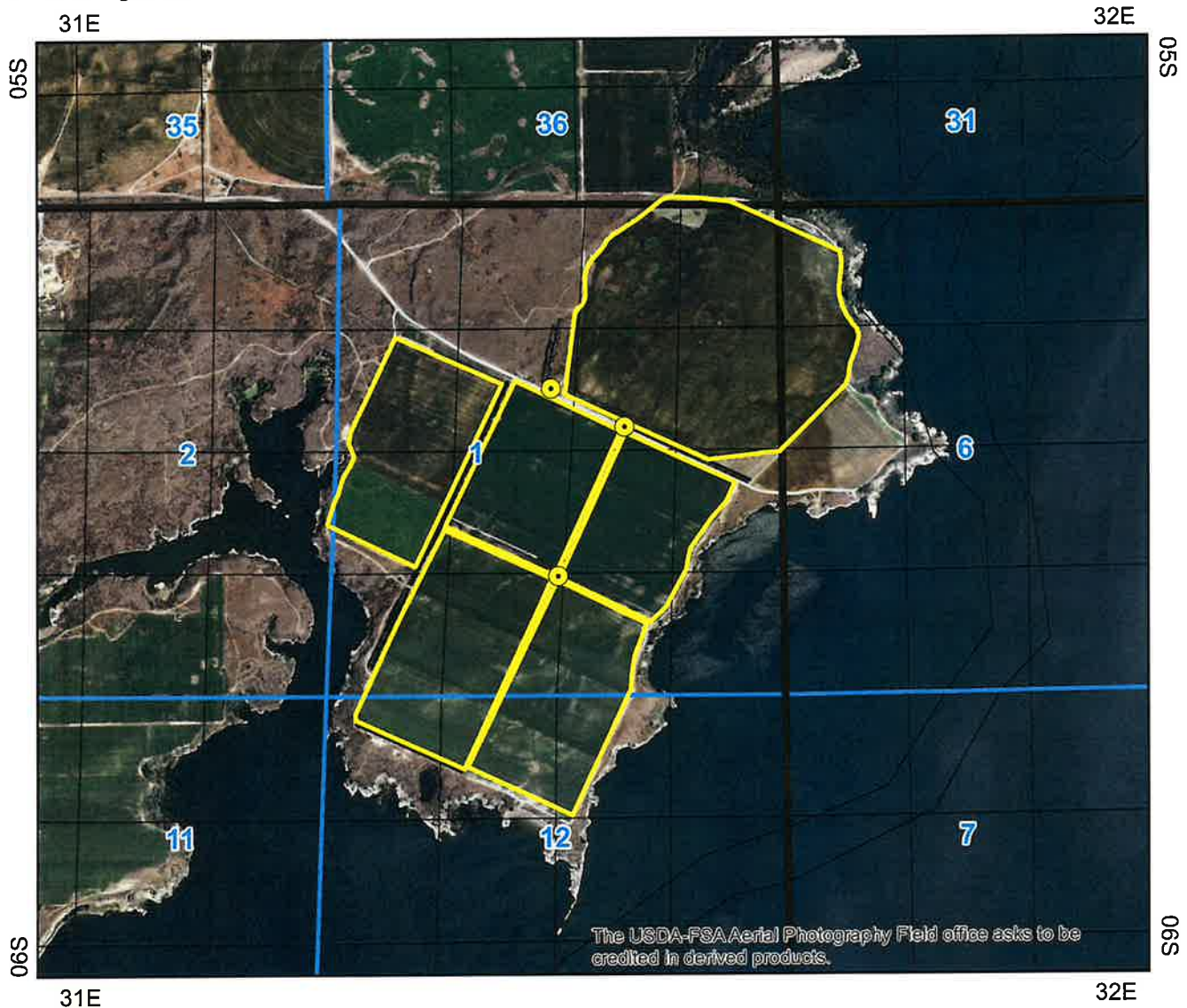
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

State of Idaho  
Department of Water Resources

**Water Right**  
**35-8572**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.225 0.45 0.9 Miles

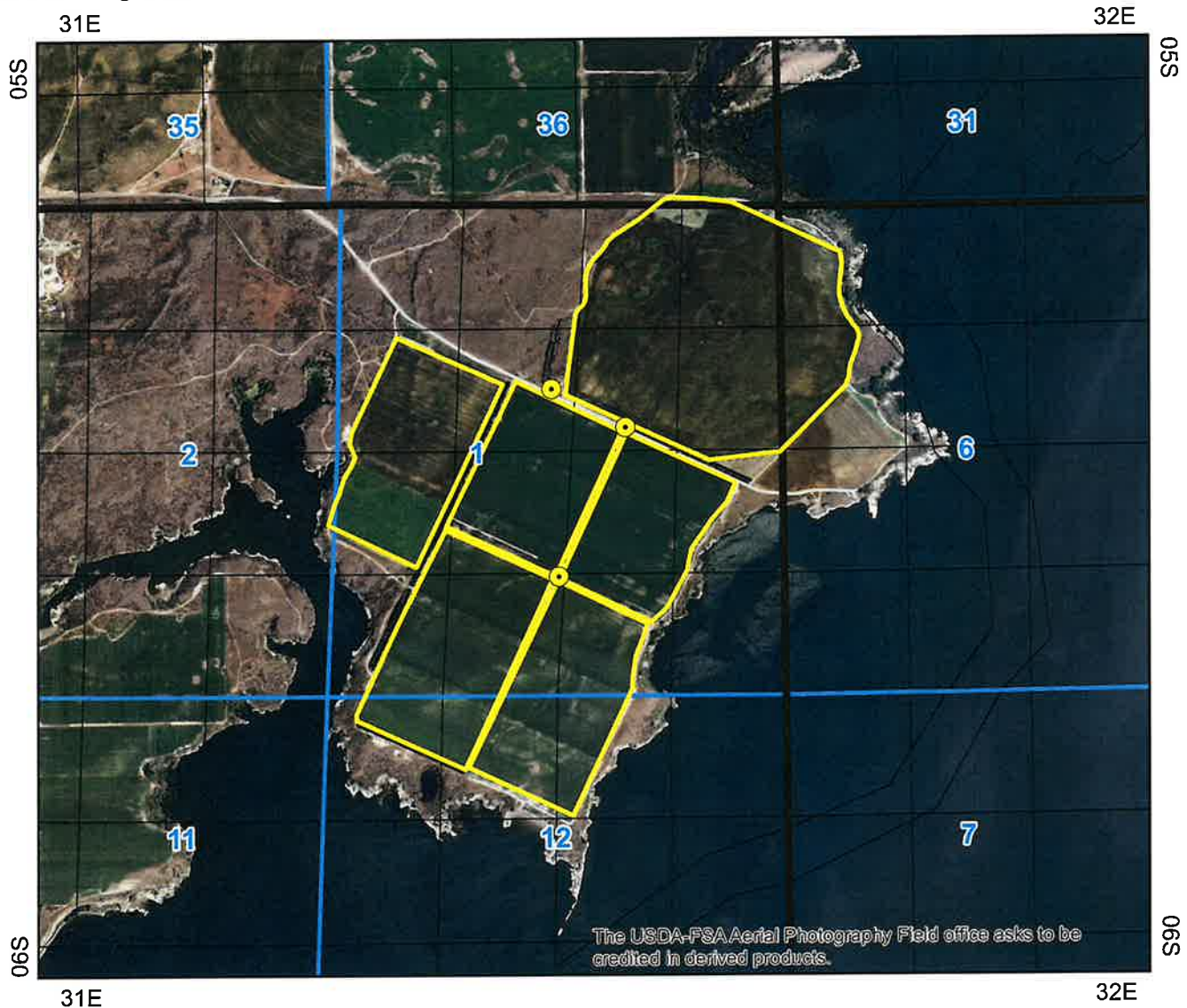


State of Idaho  
Department of Water Resources

**Water Right**  
**35-8082**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.225 0.45 0.9 Miles





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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

June 03, 2022

JAG FARMS LLC  
3656 GEHRING RD  
AMERICAN FLS ID 83211-5033

BIG J FARMS LLC  
3656 GEHRING RD  
AMERICAN FLS ID 83211-5033

Re: Change in Ownership for Water Right No(s): 35-2079, 35-7619A, 35-7619B, 35-7936, 35-8572, 35-8082

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.

It has been determined that this application will not require a split therefore you are entitled to a refund. The department has initiated a refund and it should arrive from the state office in a couple of weeks.

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) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120  
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT

## Barg, Jonie

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**From:** Barg, Jonie  
**Sent:** Monday, June 6, 2022 4:37 PM  
**To:** IdwrPayable  
**Subject:** Refund Request  
**Attachments:** Receipt.PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E04722  
Amount: \$225.00  
Payable to: Big J Farms LLC  
3656 Gehring Rd  
American Falls ID 83211

Reason: Ownership Change filed for several water rights, paid for a split, however a split is not required. The applicant is entitled to a partial refund of this receipt.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

**Jonie Barg | Technical Records Specialist**

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

## Barg, Jonie

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**From:** Barg, Jonie  
**Sent:** Monday, June 6, 2022 4:42 PM  
**To:** IdwrPayable  
**Subject:** Refund Request  
**Attachments:** Receipt(1).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E04724  
Amount: \$225.00  
Payable to JAG Farms LLC  
3656 Gehring Rd  
American Falls ID 83211

Reason: Ownership Change filed for several water rights, paid for a split, however a split is not required. The applicant is entitled to a partial refund of this receipt.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

**Jonie Barg | Technical Records Specialist**

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)