

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP JAN 6 2022

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?
31-11956 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-12140 <i>3 not complete portion</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
31-12141 <i>3 not complete portion</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Mickelsen Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bunker Hill Farms, LLC
New owner(s) as listed on the conveyance document

2883 E 2300 N	Hamer	ID	83425
Mailing address	City	State	Zip
208-243-5526	bybeehay@gmail.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: 6/27/2019 & 12/30/2021
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).
- ☐ 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: *Robert Bybee* Manager 12/30/21
Signature of new owner/claimant Title, if applicable Date
Robert Bybee
Print name

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

Received by JB Date 1/6/2022 Receipt No. ED47683 Receipt Amt. \$150.-
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 Portion JB Processed by Portion JB Date 3/11/2022

SUPPORT DATA

IN FILE # 31-11956

*Refund Request sent for \$50.-
\$75.- for this app.*



Pioneer Title Co.
GOING BEYOND

1655 Elk Creek Drive, Suite 100
Idaho Falls, ID 83404

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 672790 / 714361 - R1

Instrument # 444603

RIGBY, JEFFERSON, IDAHO
06-27-2019 01:08:45 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - RIGBY
COLLEEN C POOLE Fee: \$15.00
Ex-Officio Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received Mickelsen Properties, L.L.C., aka Mickelsen Properties, LLC, an Idaho Limited Liability Company; and Mark Mickelsen and Stephanie Jo Mickelsen, husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Bunker Hill Farms, LLC, an Idaho Limited Liability Company
hereinafter referred to as Grantee, whose current address is 2014 East 1800 North Terreton, ID 83450
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 25, 2019

:

MICKELSEN PROPERTIES, L.L.C. aka MICKELN PROPERTIES, LLC

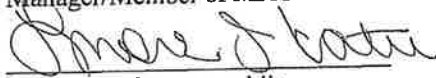
BY: Mark Mickelsen
Mark Mickelsen, its Manager/Member

AND Mark Mickelsen
Mark Mickelsen

Stephanie Jo Mickelsen
Stephanie Jo Mickelsen

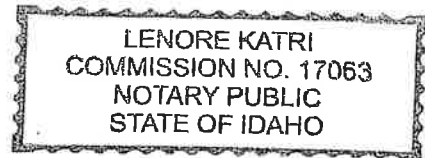
State of IDAHO, County of BONNEVILLE

This record was acknowledged before me on JUNE 26th, 2019 by MARK MICKELSEN, as
Manager/Member of MICKELSEN PROPERTIES, L.L.C. aka MICKELSEN PROPERTIES, LLC.



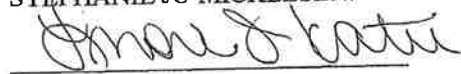
Signature of notary public
Commission Expires:

Residing at Idaho Falls, ID
My Commission Expires 01-30-2021



State of IDAHO, County of BONNEVILLE

This record was acknowledged before me on JUNE 26th, 2019 by MARK MICKELSEN and
STEPHANIE JO MICKELSEN.



Signature of notary public
Commission Expires: Residing at Idaho Falls, ID
My Commission Expires 01-30-2021

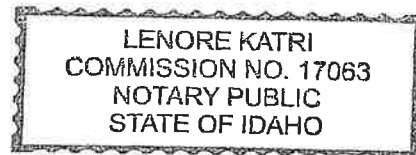


Exhibit "A"

Part of East Half of the Southeast Quarter (E½SE¼) Section 5, Township 7 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at a found 5/8" iron rod with yellow plastic cap at the Southeast corner of said Section 5 and running thence S.89°53'22"W. 485.00 feet along the section line to the Southeast corner of the property as described in Warranty Deed, Instrument No. 387309; thence along the boundary of said property the following five (5) courses: (1) N.00°06'38"W. 500.00 feet; thence (2) N.08°11'56"W. 124.99 feet; thence (3) N.52°37'56"W. 94.00 feet; thence (4) S.86°25'04"W. 94.00 feet; thence (5) S.59°59'04"W. 56.07 feet to a point on a non-tangent curve; thence 979.94 feet along said curve to the left, Curve Data: Delta = 48°05'08", Radius = 1167.64 feet, Chord bearing = N.23°56'40" E, 951.43 feet; thence N.89°54'06"E. 332.13 feet to the east line of said Section 5; thence S.00°05'54"E. 1516.04 feet to the point of beginning.

ALSO:

Part of South Half of the Southeast Quarter (S½SE¼) Section 5, Township 7 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:
Beginning at a point that is S.89°53'22"W. 900.00 feet along the section line from a found 5/8" iron rod with a yellow plastic cap at the Southeast corner of said Section 5 and running thence S.89°53'22"W. 1741.60 feet along said section line to the South Quarter corner of said Section 5; thence N.00°02'45"W. 1267.15 feet along the north-south centerline through the section to a point on a non-tangent curve; thence 2219.42 feet along said curve to the left, Curve Data: Delta = 108°54'24", Radius = 1167.64 feet, Chord bearing = S.66°53'15" E. 1900.08 feet to the north line of the property as described in Warranty Deed, Instrument No. 387309; thence along said property the following two (2) courses: (1) S.18°16'38"W. 18.89 feet; thence (2) S.00°06'38"E. 500.00 feet to the point of beginning.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Instrument # 470042
RIGBY, JEFFERSON, IDAHO
12-30-2021 04:11:01 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - RIGBY
COLLEEN C POOLE Fee: \$15.00
Ex-Officio Recorder Deputy: LK
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1018140-RI (ss)**

Date: **December 29, 2021**

For Value Received, **Mickelsen Properties, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Bunker Hill Farms LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **2883 E 2300 N, Hamer, ID 83425**, the following described premises, situated in **Jefferson County, Idaho**, to-wit: *R.B.B.*

PARCEL 1:

PART OF EAST HALF OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS N. 00°02'45" W. 1267.15 FEET ALONG THE NORTH-SOUTH CENTERLINE THROUGH THE SECTION FROM AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SAID SECTION 5 AND RUNNING THENCE N. 00°02'45" W. 583.25 FEET ALONG SAID NORTH-SOUTH CENTERLINE THROUGH THE SECTION TO A POINT ON A NON-TANGENT CURVE; THENCE 1210.84 FEET ALONG SAID CURVE TO THE RIGHT, CURVE DATA: DELTA = 58°23'50", RADIUS = 1188.00 FEET, CHORD BEARING = N. 45°25'06" E. 1159.10 FEET; THENCE N. 89°54'06" E. 1812.94 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE S. 00°05'54" E. 1145.98 FEET ALONG SAID EAST LINE; THENCE S. 89°54'06" W. 332.13 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE 979.94 FEET ALONG SAID CURVE TO THE RIGHT, CURVE DATA: DELTA = 48°05'08", RADIUS = 1167.64 FEET, CHORD BEARING = S. 23°56'40" W. 951.43 FEET TO THE NORTH LINE OF THE PROPERTY AS DESCRIBED IN WARRANTY DEED, INSTRUMENT NO. 387309; THENCE ALONG SAID PROPERTY THE FOLLOWING THREE (3) COURSES: (1) S. 59°59'04" W. 125.93 FEET; THENCE (2) S. 51°51'04" W. 74.00 FEET; THENCE (3) S. 18°16'38" W. 22.13 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE 2219.42 FEET ALONG SAID CURVE TO THE RIGHT, CURVE DATA: DELTA = 108°54'24", RADIUS = 1167.64 FEET, CHORD BEARING = N. 66°53'15" W. 1900.08 FEET TO THE POINT OF BEGINNING.

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,

Date: 12/29/2021

Warranty Deed
- continued

File No.: 1018140-RI (ss)

restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Mickelsen Properties, LLC, an Idaho limited liability company

By: Mark Mickelsen
Name: Mark A Mickelsen
Title: Manager

STATE OF Idaho)
ss.
COUNTY OF Jefferson)

On this **12/29/2021**, before me, a Notary Public in and for said State, personally appeared , known or identified to me, to be the 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.

Notary Public of Idaho
Residing at:
Commission Expires:

STATE OF Idaho)
ss.
COUNTY OF Jefferson)

On this **Thirtieth day of December, 2021**, before me, a Notary Public in and for said State, personally appeared , known or identified to me to be one of the partners in the partnership of , and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that executed the same in said partnership name.

Notary Public of Idaho
Residing at:
Commission Expires:

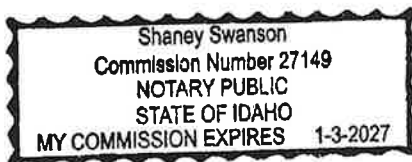
Date: **12/29/2021**

Warranty Deed
- continued

File No.: **1018140-RI (ss)**

STATE OF Idaho)
SS.
COUNTY OF Bonneville)

On this **29th day of December, 2021**, before me, a Notary Public in and for said State, personally appeared **Mark A Mickelsen**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Mickelsen Properties, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within Instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.




Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-27

State of Idaho
Department of Water Resources

Water Right 31-11956

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.

37E



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

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right 31-12140

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 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right
31-12141

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.

37E



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

0 0.075 0.15 0.3 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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 11, 2022

BUNKER HILL FARMS LLC
2883 E 2300 N
HAMER ID 83425-5029

Re: Change in Ownership for Water Right No(s): 31-11956, 31-12140 (not complete), 31-12141 (not complete)

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 a portion of its records and has enclosed a computer-generated report for you.

Two of the water rights listed above could not be updated. After an initial review of your ownership change, we determined that you needed to provide additional evidence of ownership and/or filing fees. On January 13, 2022, we sent a letter requesting the additional information/fees (copy attached). The additional information was to be provided within **30** days.

IDWR has never received a response to the requested documents. Without the requested documents/fees, we cannot update ownership of the water right. Because two of the water rights could not be updated, we have initiated a refund of a portion of your filing fee (\$50.00). The refund from the state of Idaho will arrive at the address listed above within 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: RABO AGRIFINANCE LLC
WATER DISTRICT 110
JEFFERSON CLARK GROUND WATER DISTRICT
IDAHO AGCREDIT FLCA

Barg, Jonie

From: Barg, Jonie
Sent: Friday, March 11, 2022 12:11 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(9)

Good morning!

I have a refund request as follows:

Receipt number: E047683
Amount: \$50.00
Payable to: Idaho AgCredit
1586 N 2nd E
Rexburg ID 83440

Reason: Ownership Change/security interest submitted for 3 water rights \$150.00. Additional information was requested for the ownership change, but was not received, the application is only being partially processed. Therefore, the applicant is entitled to a partial refund.

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
Website: www.idwr.idaho.gov



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 Gary Spackman

January 13, 2022

BUNKER HILL FARMS LLC
2883 E 2300 N
HAMER ID 83425

RE: Change in Ownership Water Right No. 31-11956, 31-12140, 31-12141

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. The department has sufficient evidence of 31-11956.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership/Notification/Additional Filing Fee:** According to the information provided to the department there is a portion of water right 31-12140 and 31-12141 not covered by your legal description. The portion in question is owned by Robert Bybee according to the county parcel records (map attached). For the department to update the ownership we will need additional evidence of ownership, showing you own the parcel in question or an additional filing fee to split the water right (Split fee is \$100.00 per water right, therefore an additional \$150.00 would be required). If you believe the full water rights should go to you and you do not own that parcel we will require that the property owner be notified of this change pursuant Idaho statute 42-248(6) *(If the person filing the notice of a change of water right ownership does not own the land identified as the place of use for the water right, the notice shall be accompanied by evidence that written notice of the change of water right ownership has been mailed or hand-delivered to the landowner of record, as identified in the records of the county recorder.)*

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

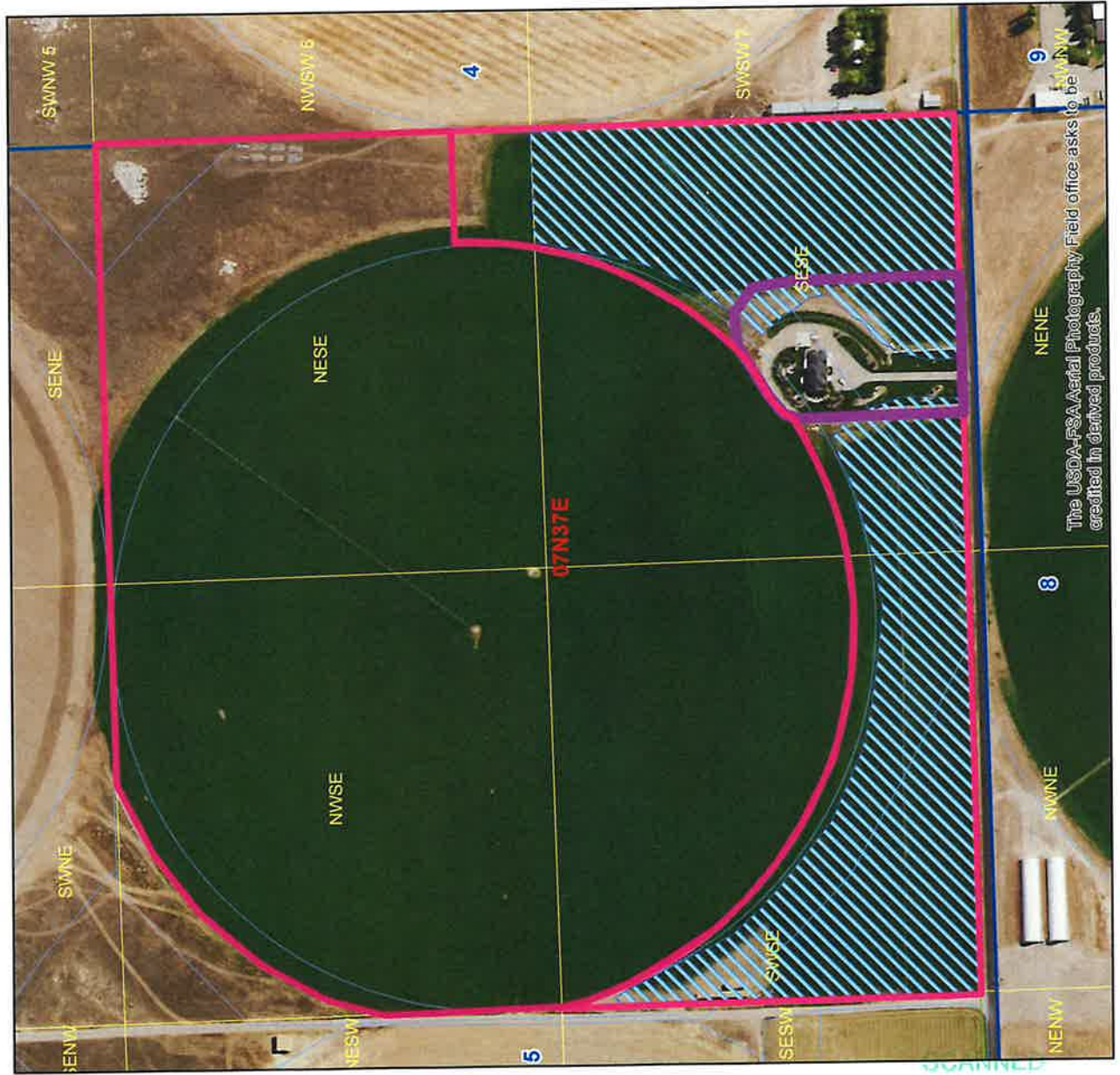
Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

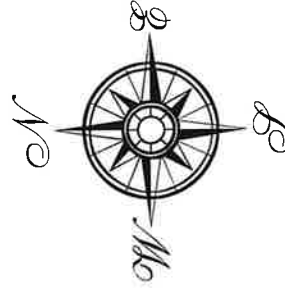
JAN 13 2022

Idaho Department of Water Resources



Legend

-  Bybee Property
-  Bunker Hill Farms LLC
-  POU 31-12140 & 31-12141
-  Township/Range
-  Sections
-  QQ
-  Water Right POU
-  Parcels



Layout Created By:
Jonie Barg

JAN 13 2022