

DEV

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 Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 35-13199	OK				
~~35-13200~~					
WR 35-13068	OK				

SUPPORT DATA

IN FILE # 35-13068

RECEIVED
OCT 20 2008

Department of Water Resources
Eastern Region

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**.

3. Name and Address of Former Owner/Claimant(s)	Boondox Farms Partnership, LTD 4076 E 450 N Rigby, Idaho 83442
4. New Owner/Claimant(s)	Big J Farms, L.L.C. and JAG Farms, L.L.C.
	Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address	3648 Gehring Road
City, State and ZIP Code	American Falls, ID 83211
New Telephone Number	(208) 226-5031 Email: _____

5. Date you acquired the property _____
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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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)

[Signature] JAG Farms LLC
manager
(title if applicable)
[Signature] Big J Farms LLC manager
(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 BMC
Received by BMC
Processed by _____ AJ

Date 10/20/08
Date 10/20/08
Date _____

Receipt Amt. \$59.00
Receipt No. ED34531
WR _____ Date _____

(d)

Instrument # 189010

POWER COUNTY, IDAHO

2006-03-24 12:16:08 No. of Pages: 7

Recorded for : FIRST AMERICAN TITLE

CHRISTINE STEINLICHT

Ex-Officio Recorder Deputy

Fee: 21.00

Maureen Schulte

WARRANTY DEED

FOR VALUE RECEIVED, BOONDOX FARMS PARTNERSHIP, LTD., an Idaho limited partnership, who address is in care of Dale Michaleson of American Falls, Idaho (hereinafter "Grantor"), does hereby grant, bargain, sell and convey unto JAG FARMS. L.L.C., an Idaho limited liability company, in care of Jared A. Gehring, whose current address is 3656 Gehring Road, American Falls, Idaho 83211 and BIG J. FARMS, L.L.C., an Idaho limited liability company, in care of Jordan Gehring, whose address is 3848 Gehring Road, American Falls, Idaho 83211 (hereinafter "Grantees"), their heirs and assigns forever, the following described premises in Bannock County, Idaho, to-wit:

Real Property whose full legal description in Exhibit "A" attached hereto and incorporated by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all water, gas, oil and mineral rights and sugar beet shares.

Grantor does hereby covenant that it is the owner in fee simple of said premises, that they are free from all encumbrances excepting discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, easements or claims of easement not shown by the public records, use restrictions and building and zoning regulations and ordinances of any governmental unit, and that she will warrant and defend the same from all lawful claims.

DATED this 23 day of March, 2006.

GRANTOR:

BOONDOX FARMS PARTNERSHIP, LTD.

Dale E. Michaleson

DALE E. MICHALESON, Partner

Evelyn Michaleson

EVELYN MICHAELSON

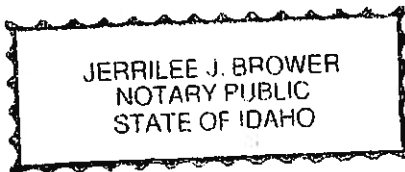
Kevin Michaelson
KEVIN MICHAELSON, Partner

Karen Michaelson
KAREN MICHAELSON

Ron Michaelson
RON MICHAELSON, Partner

STATE OF Idaho)
) ss.
COUNTY OF Bannock)

On this 23rd day of March, 2006, before me, a Notary Public in and for said State, personally appeared **Dale E. Michaelson**, known or identified to me to be one of the partners in the partnership of **Boondox Farms Partnership, Ltd.**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Jerrilee J. Brower
Notary Public of Idaho
Residing at: Inkom, Idaho
Commission Expires: 2-27-10

STATE OF Idaho)
COUNTY OF Bannock)
ss.)

On this 23rd day of March, 2006, before me, a Notary Public in and for said State, personally appeared **Evelyn Michaelson**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Ferrilee J. Brower
Notary Public of Idaho

Notary Public of Idaho
Residing at: Inkorn, Idaho
Commission Expires: 2-27-10

JERRILEE J BROWER
NOTARY PUBLIC
STATE OF IDAHO

STATE OF Idaho)
)
) ss.
COUNTY OF Bannock)

On this 23rd day of March, 2006, before me, a Notary Public in and for said State, personally appeared **Kevin Michaelson**, known or identified to me to be one of the partners in the partnership of **Boondox Farms Partnership, Ltd.**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Ferrilee J. Brower
Notary Public of Idaho

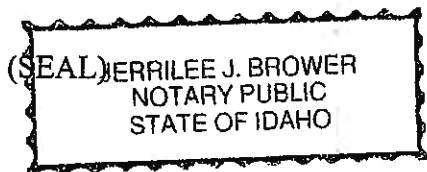
Notary Public of Idaho
Residing at: Inkom, Idaho
Commission Expires: 2-27-10

JERRILEE J. BROWER
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
 : ss
County of Bannock)

On this 22nd day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared KAREN MICHAELSON known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.

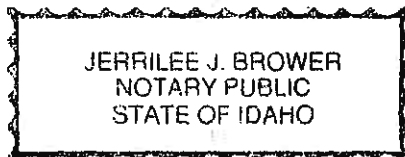
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Jerrilee J. Brower
NOTARY PUBLIC FOR IDAHO
Residing at: Inkom, Idaho
My Commission expires: 2.27.10

STATE OF Idaho)
 ss.
COUNTY OF Bannock)

On this 23rd day of **March, 2006**, before me, a Notary Public in and for said State, personally appeared **Ron Michaelson**, known or identified to me to be one of the partners in the partnership of **Boondox Farms Partnership, Ltd.**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Jerrilee J. Brower
Notary Public of Idaho
Residing at: Inkom, Idaho
Commission Expires: 2-27-10

Date: March 23, 2006

File No.: 147316-P (jb)

EXHIBIT 'A'

LEGAL DESCRIPTION:

PARCEL 1:

TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO.

SECTION 9:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9; THENCE WEST 775 FEET; THENCE NORTH 940 FEET; THENCE EAST 775 FEET; THENCE SOUTH 940 FEET TO THE ACTUAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

BEGINNING AT A POINT 720 FEET NORTH FROM THE SOUTHEAST CORNER; THENCE WEST 220 FEET; THENCE NORTH 210 FEET; THENCE EAST 220 FEET; THENCE SOUTH 210 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

BEGINNING AT THE SOUTHEAST CORNER, THENCE NORTH 530 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE NORTH 190 FEET; THENCE WEST 197 FEET; THENCE SOUTH 190 FEET; THENCE EAST 197 FEET TO THE ACTUAL POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 9, THENCE N 0°02' NORTH ALONG THE EAST LINE OF SAID SECTION 203.2 FEET; THENCE N 89°57' W 428.8 FEET; THENCE SOUTH 0°02' W 203.2 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE S 89°57' EAST 428.8 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO.

SECTION 16:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 16, THENCE WEST 1600 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 120 FEET; THENCE WEST 250 FEET; THENCE SOUTH 120 FEET; THENCE EAST 250 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

A TRACT OF LAND IN THE NE1/4 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 0°00'10" EAST ALONG THE EAST LINE OF SAID SECTION 372.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0°00'10" EAST ALONG SAID EAST LINE 946.69 FEET TO THE NORTH 1/16 CORNER; THENCE SOUTH 89°58'07" WEST 398.98 FEET; THENCE NORTH 16°28'26" EAST 987.44 FEET; THENCE NORTH 89°59'50" EAST 118.92 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A TRACT OF LAND IN THE NE1/4NE1/4 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE N1/16 CORNER OF SAID SECTION 21, MONUMENTED WITH A 5/8" REBAR AND ALUMINUM CAP MARKED PLS 843; THENCE N 0°00'10" W ALONG THE EAST SECTION LINE OF SAID SECTION 21 A DISTANCE OF 64.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S 89°58'07" W LEAVING SAID SECTION LINE 164.00 FEET; THENCE N 0°00'10" W 236.90 FEET; THENCE S 89°58'07" W 145.94 FEET; THENCE N 16°28'26" E 221.07 FEET; THENCE N 89°58'07" E 247.27 FEET TO A POINT ON THE EAST SECTION LINE OF SAID SECTION 21; THENCE S 0°00'10" E ALONG SAID SECTION LINE 448.86 FEET TO THE TRUE POINT OF BEGINNING.

ALSO:

A TRACT OF LAND IN THE NE1/4 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21; THENCE NORTH 89°58'14" EAST ALONG THE NORTH LINE OF SAID SECTION 1064.94 FEET TO THE TRUE POINT OF BEGINNING;

First American Title Company

File No.: 147316-P (jb)

Date: March 23, 2006

**THENCE CONTINUING NORTH 89°58'14" EAST ALONG SAID NORTH LINE 229.60 FEET;
THENCE SOUTH 0°01'13" EAST 387.50 FEET; THENCE SOUTH 89°58'14" WEST 229.60 FEET;
THENCE NORTH 0°01'13" WEST 387.50 FEET TO THE TRUE POINT OF BEGINNING.**