

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

JAN 18 2008

Department of Water Resources  
East Boise, Idaho

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).

DEV

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 35-8622           | WR-Decead                |          |                   |                          |          |
| 35-2269E          | WR-Decead                |          |                   |                          |          |
| 35-2269F          | WR-Decead                | OK       |                   |                          |          |
| 35-2205F          | WR-Decead                |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

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)

Michael John Martin

4. New Owner/Claimant(s)

E &amp; H Farms LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2840 Sunnybrook

City, State and ZIP Code

Idaho Falls ID 83404

New Telephone Number

(208) 313-7316

Email: SUPPORT DATA

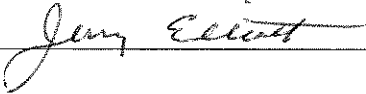
5. Date you acquired the property

IN FILE # 35-2205F

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)  (title if applicable)  
 \_\_\_\_\_ (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 SL Date 1/18/08  
 Received by SL Date 1/18/08  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. 100  
 Receipt No. E633712  
 WR \_\_\_\_\_ Date \_\_\_\_\_

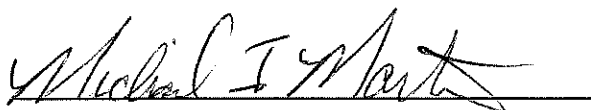
# WARRANTY DEED

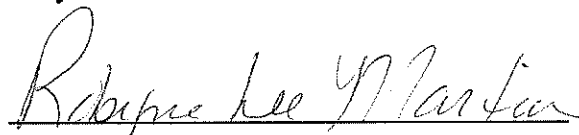
FOR VALUE RECEIVED MICHAEL JOHN MARTIN and ROBYNE LEE MARTIN, husband and wife, of 460 North 1500 West, Blackfoot, Idaho 83221, the Grantors, do hereby grant, bargain, sell, and convey unto E. & H. FARMS LLC of 2840 Sunnybrook Lane, Idaho Falls, Idaho 83404, the Grantees, the following described premises to-wit:

See attached Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this \_\_\_\_ day of January 2005.

  
MICHAEL JOHN MARTIN

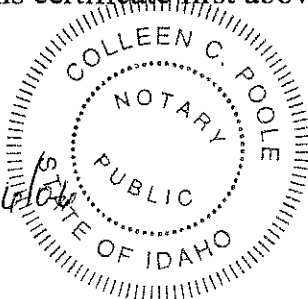
  
ROBYNE LEE MARTIN

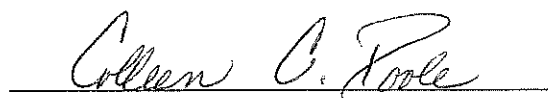
STATE OF IDAHO )  
) ss.  
County of ~~Bingham~~ Bonneville )

On this \_\_\_\_ day of January 2005, before me, the undersigned, a notary public in and for said state, personally appeared MICHAEL JOHN MARTIN and ROBYNE LEE MARTIN, husband and wife, known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My cmn exprs: 10/11/04



  
Notary Public for State of Idaho  
Residing at Blackfoot Menan

## EXHIBIT A

### Parcel 1:

Township 2 South, Range 33, E.B.M., Bingham County, Idaho  
Section 9: N½ EXCEPT road.

LESS:

### SECTION 9

Beginning at a point that is South along the Section line 1884.32 feet from the Northeast Corner of Section 9, Township 2 South, Range 33 East of the Boise Meridian; running thence South along said Section line 791.19 feet; thence N.79°56'43"W. 587.48 feet; thence N.49°40'42"E. 453.76 feet; thence N.47°46'54"W. 190.58 feet; thence N.03°00'23"E. 246.90 feet; thence N.86°45'53"E. 361.27 feet to the POINT OF BEGINNING.

SUBJECT TO: existing County road Right-of-Way and easements of record.

Containing 6.47 acres.

### Parcel 2:

A portion of the E½ of Section 10, Township 2 South, Range 33, E.B.M., Bingham County, Idaho, described as: Commencing at a point on the E. line of said Section 10, which point is 1600 feet N. of the SE corner of said Section 10; Thence N. 89°47' W. 2640 feet, more or less, to the W. line of the E½ of said Section 10; thence N. along the W. line of said E½, to the Southerly right of way line of the Salmon River Railroad; thence following said right of way line in a Southeasterly direction to its intersection with the W. line of the NE¼/NE¼ of said Section 10; thence S. to the SW corner of said NE¼/NE¼; thence E. to the E. line of said Section 10; thence S. along the E. line of said Section 10, to the point of beginning. EXCEPT road.

### Parcel 3:

Part of Sections 11 and 14, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at the SW corner of said Section 11; and running thence N. 00°24'02" E. 768.73 feet along the section line; thence S. 88°55'39" E. 2651.56 feet along the centerline of a farm road; thence S. 00°28'53" W. 736.32 feet along the North-South half section line to the N¼ corner of said Section 14; thence in Section 14 S. 00°20'40" W. 2678.60 feet along the North-South half section line to the center section point; thence N. 89°51'08" W. 2649.40 feet along the East-West half section line to the W¼ corner of said Section 14; thence N. 00°19'27" E. 2688.98 feet along the section line to the point of beginning. EXCEPT: County road along the west side.

### Parcel 4:

East ½ of Section 10, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, lying North of the South 1600 feet and South of the Railroad right-of-way. EXCEPTING THEREFROM: A portion of the E½ of Section 10, Township 2 South, Range 33, E.B.M., Bingham County, Idaho, described as: Commencing at a point on the E. line of said Section 10, which point is 1600 feet N. of the SE corner of said Section 10; Thence N. 89°47' W. 2640 feet, more or less, to the W. line of the E½ of said Section 10; thence N. along the W. line of said E½, to the Southerly right of way line of the Salmon River Railroad; thence following said right of way line in a Southeasterly direction to its intersection with the W. line of the NE¼/NE¼ of said Section 10; thence S. to the SW corner of said NE¼/NE¼; thence E. to the E. line of said Section 10; thence S. along the E. line of said Section 10, to the point of beginning. ALSO EXCEPT road.

Less:

**SECTION 10**

Beginning at a point that is South along the Section line 830.03 feet from the Northeast Corner of Section 10, Township 2 South, Range 33 East of the Boise Meridian; running thence South along said Section line 260.45 feet; thence  $S.89^{\circ}53'02''W.$  430.93 feet; thence  $N.74^{\circ}15'19''W.$  144.62 feet; thence  $N.77^{\circ}47'26''W.$  127.30 feet; thence  $N.66^{\circ}47'12''W.$  217.20 feet; thence  $N.63^{\circ}53'25''W.$  46.36 feet; thence  $N.01^{\circ}38'34''W.$  130.06 feet to the South Right-of-Way line of a railroad; thence  $S.88^{\circ}27'24''E.$  along said South Right-of-Way line 707.95 feet to a point of curve with a radius of 3457.91 feet and chord that bears  $S.86^{\circ}31'55''E.$  232.28 feet; thence to the right along said South Right-of-Way line curve 232.32 feet through a central angle of  $03^{\circ}50'58''$  to the POINT OF BEGINNING.

SUBJECT TO: existing County road Right-of-Way and easements of record.

Containing 5.34 acres.