

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

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FEB 01 2006

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

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DEPARTMENT OF
WATER RESOURCES

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 the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
31-2357					
31-2395					
31-7311					
~~31-11345~~					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ~~\$75~~ \$75-
- 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 usually attached to your deed or on file with the county).
OR
 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 **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)

Ben Vernberg

4. New Owner/Claimant(s)

Idaho Properties LLC

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

New Mailing Address

23539 365th Ave

City, State and ZIP Code

Kimball, SD 57355

New Telephone Number

605 778 6714

5. Date you acquired the property

7-05

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Dill Loh general Part.

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.

For Office Use Only

Received by gc Date 2-1-06 Fee ~~25.00~~ - \$75-
 Received by gc Date 2-1-06 Receipt No. ~~E031608~~ E031608
 Processed by _____ AJ Date _____ WR _____ Date _____

GRANT DEED

THIS INDENTURE is made this 21 day of July, 2005, by Ben D. Jernberg and Peggy Ann Jernberg, not individually, but as trustees of **THE BEN D. JERNBERG AND PEGGY ANN JERNBERG FAMILY TRUST**, "Grantor," and **IDAHO PROPERTIES, L.L.C.**, a South Dakota limited liability company, whose mailing address is 23589 365th Avenue, Kimball, South Dakota 57505, "Grantee."

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents do grant and confirm unto Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Jefferson, State of Idaho, to-wit:

Township 7 North, Range 34 E.B.M., Jefferson County, Idaho

Section 8: SE1/4SE1/4

Section 9: NE1/4SE1/4; S1/2S1/2

Section 10: W1/2SW1/4, except beginning at a point that is N. 89°45'20" E. 1322.93 feet along the Section line and N. 0°00'27" W. 1735.54 feet along the West line of said NE1/4SW1/4 from the SW corner of said Section 10, and running thence N. 88°22'27" W. 22.03 feet to the center line of a roadway; thence along said centerline the following five (5) courses: (1) N. 9°02'38" W. 115.36 feet; (2) thence N. 2°10'27" W. 77.23 feet; (3) thence N. 32°34'56" E. 49.07 feet; (4) thence N. 70°08'25" E. 60.06 feet; (5) thence N. 89°01'47" E. 459.74 feet; thence S. 1°45'02" W. 275.37 feet; thence N. 88°22'27" W. 491.27 feet to the point of beginning.

Section 15: W1/2 less NE1/4NW1/4

Section 16: All

Section 17: E1/2E1/2; SW1/4SE1/4 South of Jefferson Canal

Section 20: NE1/4 and NE1/4NW1/4 lying East of Jefferson Canal

Section 21: N1/2

Section 22: NW1/4NW1/4; S1/2NW1/4

Section 31: E1/2E1/2

Section 32: W1/2W1/2

Township 7 North, Range 37 E.B.M., Jefferson County, Idaho

Section 15: E1/2W1/2; SE1/4, except Beginning at a point that is N. 0°07'00" W. 1396.50 feet along the Section line from the SE corner of said Section 15, and running thence N. 85°13'35" W. 2593.66 feet; thence N. 4°26'29" W. 2135.98 feet; thence N. 66°10'53" E. 1556.09 feet; thence S. 0°03'48" E. 416.73 feet; thence S. 89°55'35" E. 1322.13 feet to the Section line; thence S. 0°03'48" E. 1317.91 feet; thence S. 0°07'00" E. 1237.47 feet to the point of beginning.

Section 22: E1/2W1/2.

TOGETHER with all appurtenant water and ditch rights.

SUBJECT TO:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (A) Unpatented mining claims; (B) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (C) whether or not the matters excepted under (A) or (B) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

7. 2005 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year. Taxes which may be assessed and entered on the property roll for 2004 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.
8. Easement granted to Utah Power & Light Company, recorded September 4, 1936 in Book 112 of Misc., page 375. (SE1/4SE1/4 20-7N-34E)
9. Easement granted to Utah Power & Light Company, recorded September 4, 1936 in Book 112 of Misc., page 376. (SE1/4SE1/4 Sec. 8; E1/2E1/2 Sec. 17; NE1/4NE1/4 Sec. 20-7N-34E)
10. Easement granted to Utah Power & Light Company, recorded July 11, 1940 in Book 112 of Misc., page 597. (Sec. 17-7N-34E)
11. Easement granted to Utah Power & Light Company, recorded March 5, 1954 in Book 154 of Misc., page 257. (SE1/4SE1/4 Sec. 8; E1/2E1/2 Sec. 17-7N-34E)
12. Easement granted to Utah Power & Light Company, recorded March 15, 1961 in Book 166 of Misc., page 133. (NE1/4NE1/4 Sec. 20-7N-34E)
13. Subject to an easement for ingress and egress over SW1/4 Sec. 10-7N-34E, as disclosed by Warranty Deed recorded October 28, 1981, as Instrument No. 212466.
14. Rights-of-way for ditches, tunnel and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code. (16-7N-34E)
15. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of Sections 47-701 and 47-701A, Idaho Code. (16-7N-34E)

16. Subject to State of Idaho Easement #2046 to the Jefferson Irrigation Company for Reservoir Right-of-way, as disclosed by State Deed Nos. 190879 and 258807.
17. Agreement and Easement upon the terms, conditions and provisions contained therein:
Parties: Joe Hartwell and Millie E. Hartwell, husband and wife, and Sauer Enterprises, an Idaho partnership.
Recorded: November 18, 1985, Instrument No. 235450 (SE1/4SE1/4 Sec. 8-7N-34E and other property)
18. Right-of-way or easement of Jefferson Canal.
19. Right-of-way or easement of county roads.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of Grantor.

TO HAVE AND TO HOLD, the premises and the appurtenances unto Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Grantor has executed the within instrument the day and year first above written.

THE BEN D. JERNBERG AND PEGGY
ANN JERNBERG FAMILY TRUST

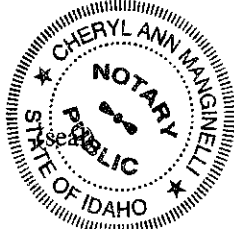
By: Ben D. Jernberg
Ben D. Jernberg, Trustee

By: Peggy Ann Jernberg
Peggy Ann Jernberg, Trustee

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 21 day of July, 2005, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **BEN D. JERNBERG and PEGGY ANN JERNBERG**, known or identified to me to be the persons whose names are subscribed to the within instrument as trustees of **The Ben D. Jernberg and Peggy Ann Jernberg Family Trust** and acknowledged to me that they executed the same as such trustee.

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



Cheryl Ann Mangnelli
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: 6-25-2008

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GRANT DEED

THIS INDENTURE is made this 21 day of July, 2005, by Ben D. Jernberg and Peggy Ann Jernberg, not individually, but as trustees of **THE BEN D. JERNBERG AND PEGGY ANN JERNBERG FAMILY TRUST**, "Grantor," and **IDAHO PROPERTIES, L.L.C.**, a South Dakota limited liability company, whose mailing address is 23589 365th Avenue, Kimball, South Dakota 57355, "Grantee."

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents do grant and confirm unto Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Clark, State of Idaho, to-wit:

Township 11 North, Range 39 E.B.M., Clark County, Idaho

Section 4: E1/2SW1/4; SE1/4
Section 9: NE1/4NE1/4; NE1/4NW1/4
Section 28: N1/2
Section 33: NE1/4SE1/4; SW1/4NE1/4

Also that portion of the SE1/4NW1/4 lying Northeasterly of a diagonal line from the NW corner of the subdivision to the SE corner thereof.

Also that portion of the NW1/4SE1/4 lying Northeasterly of a diagonal line from the NW corner of the subdivision to the SE corner thereof.

Also that portion of the SE1/4SE1/4 lying Northeasterly of a diagonal line from the NW corner of the subdivision to the SE corner thereof.

TOGETHER with all appurtenant water and ditch rights.

SUBJECT TO:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

TO HAVE AND TO HOLD, the premises and the appurtenances unto Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Grantor has executed the within instrument the day and year first above written.

THE BEN D. JERNBERG AND PEGGY ANN JERNBERG FAMILY TRUST

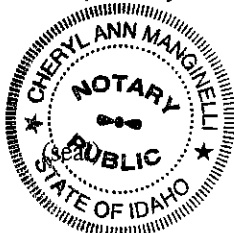
By: *Ben D. Jernberg*
Ben D. Jernberg, Trustee

By: *Peggy Ann Jernberg*
Peggy Ann Jernberg, Trustee

STATE OF IDAHO)
) ss.
County of Bonneville)

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Notary Public for Idaho
Residing at: *Idaho Falls, Idaho*
My Commission Expires: *6-25-2008*

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Township 11 North, Range 39 E.B.M., Fremont County, Idaho

- Section 1: SW1/4SW1/4; SW1/4SE1/4
- Section 2: S1/2NW1/4; SW1/4; N1/2SE1/4; SW1/4SE1/4
- Section 3: SE1/4NE1/4; SE1/4
- Section 10: N1/2; SW1/4
- Section 11: N1/2NW1/4; SE1/4NW1/4; SW1/4NE1/4; E1/2NE1/4; NE1/4SE1/4
- Section 12: N1/2; N1/2S1/2; SW1/4SW1/4
- Section 13: SW1/4NE1/4; NE1/4SW1/4; SE1/4
- Section 23: NE1/4NE1/4; W1/2NE1/4SE1/4
- Section 24: NW1/4NE1/4; N1/2NW1/4; E1/2NW1/4SW1/4; S1/2SW1/4
- Section 25: NW1/4NE1/4; NE1/4NW1/4; E1/2NE1/4

Township 11 North, Range 40 E.B.M., Fremont County, Idaho

- Section 3: Lots 1, 2, 3, 4; SW1/4NW1/4; S1/2NE1/4; SE1/4; NE1/4SW1/4
- Section 4: Lot 1; SE1/4NE1/4
- Section 10: N1/2NE1/4
- Section 17: E1/2SW1/4; SW1/4SE1/4
- Section 18: Lots 3 and 4; SW1/4SE1/4
- Section 19: NE1/4NE1/4; W1/2NE1/4; NE1/4SE1/4; W1/2SE1/4; Lots 1, 3 and 4
- Section 20: SW1/4NE1/4; E1/2NW1/4; SW1/4NW1/4; NE1/4SW1/4

8. Reservations in United States Patents, recorded Book H of Patents, Page 213; Book I of Patents, Page 307; Book I of Patents, Page 309; Book I of Patents, Page 24; and Book I of Patents, Page 244, including but not limited to reservations of all coal and other minerals.
9. Right-of-way or easement of county roads.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of Grantor.

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THE BEN D. JERNBERG AND PEGGY
ANN JERNBERG FAMILY TRUST

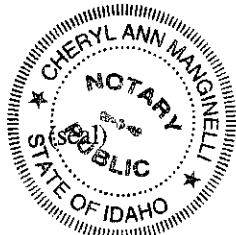
By: Ben D. Jernberg
Ben D. Jernberg, Trustee

By: Peggy Ann Jernberg
Peggy Ann Jernberg, Trustee

STATE OF IDAHO)
) ss.
County of Bonneville)

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Cheryl Ann Mangnelli
Notary Public for Idaho
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