

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)
25-256B					

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)

R Dean Fuller
PO Box 280 Menan ID 83434

4. New Owner/Claimant(s)

~~Menan ID 83434~~ BJS Cattle Co. LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

284 N 2000 E

City, State and ZIP Code

Rexburg ID 83440

New Telephone Number

(208) 359-2499

5. Date you acquired the property

6-28-2007

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)

Robert Mortensen

(title if applicable)

Robert Mortensen

(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 [Signature]
 Received by [Signature]
 Processed by AJ

 Date 8-8-06
 Date 8-8-06
 Date 8-8-06

 Receipt Amt. 25.00
 Receipt No. E033203
 WR Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7.**
7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided.
9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee:**

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

03/10/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-256B

NAME AND ADDRESS: R DEAN FULLMER
PO BOX 280
MENAN ID 83434

SOURCE: SPRING CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.510 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:

T05N R37E S35 NESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
2.510 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R37E S35 NESE 32.0 T05N R37E S35 NWSE 35.0

67 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LONG ISLAND CANAL CO.

RIGHT NO. 25-256A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

DATE: 10/26/00
PAGE: 38

JEFFERSON County

Audit:	03/28/91	FRI TSCHL	03/29/95	POST-STD
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DATE: 10/26/00
PAGE: 38

13057097
LOG NAME:79A
START :05-23 13:27
END :05-23 13:37
INTERVAL:00:01:01

05-23 13:27:00
+4.560E+3 gal/m
+1.016E+1 ft3/s
+TOTAL 0012890 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:28:01
+4.587E+3 gal/m
+1.022E+1 ft3/s
+TOTAL 0017547 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:29:02
+4.565E+3 gal/m
+1.017E+1 ft3/s
+TOTAL 0022204 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:30:03
+4.580E+3 gal/m
+1.020E+1 ft3/s
TOTAL 0026863 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:31:04
+4.562E+3 gal/m
+1.016E+1 ft3/s
+TOTAL 0031527 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:32:05
+4.565E+3 gal/m
+1.017E+1 ft3/s
+TOTAL 0036184 gal
-TOTAL 0000000 gal

NORMAL

05-23 13:33:06
+4.603E+3 gal/m
+1.025E+1 ft3/s
+TOTAL 0040849 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:34:07
+4.589E+3 gal/m
+1.022E+1 ft3/s
+TOTAL 0045505 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:35:08
+4.549E+3 gal/m
+1.013E+1 ft3/s
+TOTAL 0050156 gal
-TOTAL 0000000 gal
NORMAL

05-23 13:36:09
+4.549E+3 gal/m
+1.013E+1 ft3/s
+TOTAL 0054813 gal
-TOTAL 0000000 gal
NORMAL

Q = 4192.3 gpm, 9.34 cfs
PCC = 35.58

27 blinks, 59 seconds
Kh = 21.6

SOURCE: RYAN MADSEN
WATER DIST 1
MEASURED IN 2003

7/23/2003

25-256B

40 HP PUMP, ACROSS RD TO CONCRETE
BOX, FOR FLOOD IRR.

GREATER DIV RATE REQ FOR
FLOOD IRR. NOT MUCH FALL ON DITCH,

N 292888

021

E 655869

pic 1776 POD, looking N

pic 1777 " " "

see 25-256A for photos of P/D

25-256 A

ROBERT HUNTING

3.00 CFS

70 acres

25-256

W.S. BITTON

6 cfs

6/1/1890

SPRING CREEK

SN 37E 35

N $\frac{1}{2}$ of SE $\frac{1}{4}$

N $\frac{1}{2}$ of SW $\frac{1}{4}$

25-256 B

R. DEAN FULLMER

3.00 CFS

67 acres

remaining 165 acres field, 0.0375 cfs/ac

22-0170
Bigler, George

320 inches. May 1, 1893.

Bigler, Mark F.

Birch, Mary H.,
Admx. Estate of
Thomas Birch,
deceased.

Birch, Mary H.,
Admx. Estate of
Samuel Stewart,
deceased; and
Birch, Mary H.,

Woody Creek; to be
reduced to 160 inches
after June 20th in
each year.

Good Luck Canal Com-
pany and Pioneer
Ditch Company.

Pioneer Ditch Company.

(See Stewart, Samuel,
deceased, Mary H.
Birch, Admx.)

0062
Bird, Martin L.,
F. W. Garner &
Geo. A. Pincock

444 inches. March 1, 1884.

Pincock-Garner Ditch. ✓

0063
Bird, Martin L.,
F. W. Garner &
Geo. A. Pincock

800 inches. Apr. 1, 1898.

Pincock-Garner Ditch.

21 0023
Bishop, J. B.

300 inches. May 10, 1889.

Sheridan Creek. ~~Trail Creek~~

21 0024
Bishop, Jennie

300 inches. May 10, 1889.

Sheridan Creek. ~~Trail Creek~~

21 0025
Bishop, Mary L.

150 inches. May 10, 1889.

Sheridan Creek. ~~Trail Creek~~

21 0026
Bishop, R. L.

150 inches. May 10, 1889.

Sheridan Creek. ~~Trail Creek~~

21 0027
Bishop, I. J.

150 inches. May 10, 1889.

Sheridan Creek. ~~Trail Creek~~

Bithell, Alice

(Discharged.)

Bithell, Heber

The Sunny Hill Irriga-
tion Canal Company. ✓

25-0256
Biston, W. S.

300 inches. June 1, 1890.

Spring Creek, near Menan.

22 0171
Black, Joseph A.

150 inches. June 1, 1898.

South Leigh Creek.

Blackburn, Thomas

Trego Ditch Company.

Blackfoot

Irrigation

Company.

20,000 inches. July 10, 1889.

Snoke River. ~~Trail Creek~~

22 0172
Blair, J. P.

160 inches. June 1, 1896.

Trail Creek.

22 0173
Blair, J. J.

120 inches. May 1, 1896.

Spring Creek.

22 0174
Blamires, Robert,
and C. J. Burton,
W. S. Burton, and
Thomas H. Phillips

640 inches. June 1, 1891.

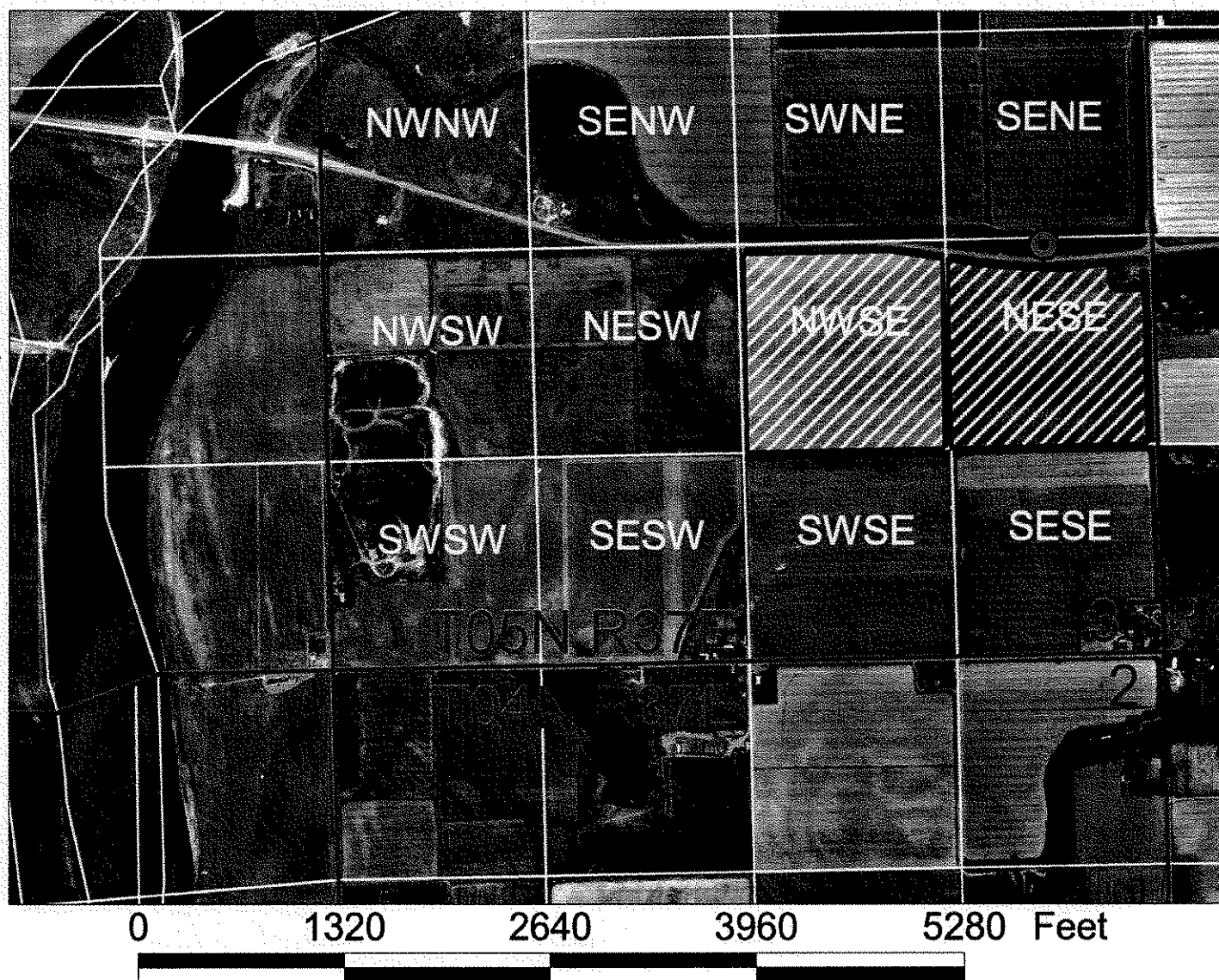
Badger Creek, and
Springs on land
of T. A. Phillips.

TRAILS # 111

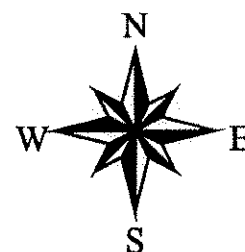


Department of Water Resources

Claim No.: 25-00256B



- Place of Use
- Point of diversion
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: March 2004

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

06/26/2007

WATER RIGHT NO. 25-256B

Owner Type	Name and Address
Current Owner	R DEAN FULLMER PO BOX 280 MENAN, ID 83434 (208)754-8562

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

Source	Tributary
SPRING CREEK	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	3 CFS	
Total Diversion			3 CFS	

Location of Point(s) of Diversion:

SPRING CREEK	NESE	Sec. 35	Township 05N	Range 37E	JEFFERSON County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	35		NESE	32		NWSE	35						

Total Acres: 67

Conditions of Approval:

1.	THIS CLAIM IS FOR HALF OF DECREED RIGHT 25-0256.
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Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

(i) where a subsequent improvement loss, the Company shall only pay the Amount of the improvement.

Instrument # 359840
RIGBY, JEFFERSON, IDAHO
2007-06-28 04:48:00 No. of Pages: 1
Recorded for : ALLIANCE TITLE & ESCROW
CHRISTINE BOULTER
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

359840

ALLIANCE TITLE & ESCROW CORP. WARRANTY DEED

Order No.: 3060718236KB

FOR VALUE RECEIVED

R. Dean Fullmer, as sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

B&S Cattle Company, LLC, an Idaho Limited Liability Company

whose current address is

284 N 2000 E Rexburg, ID 83440

the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

The North Half of the Southeast Quarter of Section 35, Township 5 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho.
Excepting therefrom: Any portion falling in Highway 48 right of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/28/2007

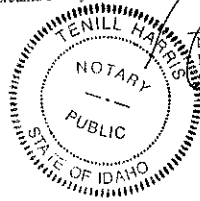
R. Dean Fullmer

State of Idaho

County of Jefferson

On this 28th day of June, in the year 2007, before me, a Notary Public in and for said state, personally appeared R. Dean Fullmer, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same.

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



Notary Public for the State of Idaho
Residing at: Residing In Jefferson County
Commission Expires: Commission Expires: 08-13-09

RECEIVED BY

ASSESSOR

For PLATTING

Date 6/28/07 Time 4:49