

R30E

West County Line

T-953

T-953

T-313.1 +
-2 - 147. +
460.7 *

T-961

3.8 +
1.5 +
5.6 +
139.2 +
2.9 +

0005

153. *

T-3046

APR 21 2004
#2115
W2 Route

12313.7

NHEL

8854

12-147.0

NHEL

T-961

0-0000

139.8

N2

Point of diversion

7.2

119.5

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

RECEIVED

APR 05 2004

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.

- 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 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
35-08207					

RECEIVED
 APR 13 2004
 DEPARTMENT OF WATER RESOURCES

- 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 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)

Marlene Porter
710 E. Chubbuck Road
Chubbuck, Idaho 83202

- 4 New Owner/Claimant(s)

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

New Mailing Address

City, State and ZIP Code

New Telephone Number

Big J Farms, LLC
3648 Gehring Rd., American Falls, Id. 83211
208, 226-5031

- 5 Date you acquired the property

3/12/04

RECEIVED

APR 13 2004

- 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) Big J Farms, LLC
(include title if applicable)

By: Jordan C Gehring
Jordan Gehring, Manager

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 JC Date 4-6-04 Fee 325-
 Receipted by JC Date 4-6-04 Receipt No E029682
 Processed by _____ AJ Date _____ WR _____ Date _____

MILWAUKEE
7/9/04

COPY

 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 FEE 6.00 DEP 2.00

2004 MAR 16 PM 4:25

RECORDED AT THE REQUEST OF

538630

FIRST AMERICAN TITLE COMPANY

WARRANTY DEED

FOR VALUE RECEIVED, MARLENE PORTER, formerly known as Marlene Funk, dealing with her sole and separate property, of 710 E. Chubbuck Road, Chubbuck, Idaho 83202 (hereinafter "Grantor"), does hereby grant, bargain, sell and convey unto BIG J FARMS, L.L.C., whose current address is 3848 Gehring Road, American Falls, Idaho 83211 (hereinafter "Grantee"), its successors and assigns forever, the following described premises in Bingham County, Idaho, to-wit:

SW1/4 of Section 17, Township 6 South, Range 30 East, B.M., Bingham County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all gas, oil, mineral and water rights, including SRBA Decreed Water Right No. 35-08207.

Grantor does hereby covenant that she 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 15th day of March, 2004.

Marlene Porter
 MARLENE PORTER

WARRANTY DEED - 1

STATE OF IDAHO)

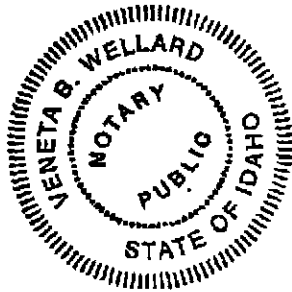
: ss

County of Bannock)

On this 5th day of March, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Marlene Porter, 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.

(SEAL)



Veneta B. Wellard
NOTARY PUBLIC FOR IDAHO
Residing at: LAVA HOT SPRINGS ID
My Commission expires: 10-2-07

538630

WARRANTY DEED - 2

MICH

2004 3 29

P. 03/04

FAX NO. 208 785 2439

MAR-19-2004 MON 03:48 PM KROUINE LAW OFFICE

R30E

West County Line

T-953

T-953

+ -313.7 +
-2 -147. +
460.7

T-961

+ 2345
3.8 +
1.5 +
5.6 +
139.2 +
2.9 +

0005

153. *

T-3046

#2115
W. Rowe

NHCL

NHCL

1313.7

3854

12-147.0

T-961

F. Malone

R45

NHCL

139.2

NZ

Point of diversion

DISTRICT COURT-3F3A
 TWIN FALLS CO., IDAHO
 FILED _____

In Re SRBA	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
	)	For Water Right 35-08207

DATED January 31, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I R C P 54(b) FOR
Case No. 39576)
) Water Right 35-08207

2022 JAN 31 PM 4:27
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

PAGE 1
Jan-31-2002

2002 JAN 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 35-08207

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-08207 was mailed
on January 31, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MARLENE L FUNK
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

McGowan

PAGE 1
01/31/02

2002 JAN 31



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2004

BIG J FARMS LLC
3648 GEHRING RD
AMERICAN FALLS ID 83211

RE: Change of Ownership for Water Right 35-8207

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

APR 21 2004

RECEIVED

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED**

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
DAVID E. ALEXANDER
LISA M. CHRISTON
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
LISA A. WOOD, CPA
STEPHEN J. MUHONEN
BRENT L. WHITING

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

SENDER'S E-MAIL ADDRESS rcb@racinelaw.net

BOISE OFFICE

CONRAD J. AIKEN
THEODORE C. PETERS
DEBORAH L. LEHOSIT
LISA R. TANNER (CA ONLY)

101 SOUTH CAPITOL
BOULEVARD, SUITE 208
BOISE, IDAHO 83702
TELEPHONE (208) 395-0011
FACSIMILE (208) 433-0167

IDAHO FALLS OFFICE

477 SHOUP AVENUE
SUITE 203A
IDAHO FALLS, ID 83402
TELEPHONE (208) 528-6101
FACSIMILE (208) 528-6109

April 1, 2004

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Water Right No 35-08207

RECEIVED
APR 05 2004

Department of Water Resources
Eastern Region

To Whom It May Concern:

Enclosed please find a Notice of Change of Water Right with attached deed and map. Please change ownership of the Right accordingly and contact me if you have any questions. Thanks for your assistance.

Sincerely,

Randy Budge

RANDALL C. BUDGE

RCB

RCB:rr

Enclosures

cc: Jordan Gehring/Big J Farms, L.L.C. (w/encl.)

RECEIVED

APR 21 2004