
Jay R. McKenzie Law Office, P.A.

Attorney and Counselor

RECEIVED

MAY 23 2005

DEPARTMENT OF
WATER RESOURCES

May 20, 2005

Attn: Shelley W. Keen
Water Rights Supervisor
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

RE: Water Right No.: 13-2164
J7, LLC

Dear Ms. Keen:

Jeff Johnson of J7, LLC, has asked that I assist in submitting to you the information requested by you in this matter, by your letter dated May 5, 2005. I am enclosing herewith, the following documents:

1. A copy of IDWR Notice Of Change In Water Right Ownership, which has already submitted by J7, LLC;
2. IDWR Receipt for \$25.00 received for the transfer fee in this matter;
3. The following deeds showing chain-of-title for the land to which Water Right No. 13-2164 is appurtenant, from Carl Mortensen through J7, LLC:
 - a. Warranty Deed recorded June 19, 1969, as Instrument No. 124571, from Mortensens to Mosers;
 - b. Warranty Deed recorded May 18, 1988, as Instrument No. 177729, from Mosers to Grass Valley Enterprise;
 - c. Warranty Deed recorded April 10, 1990, as Instrument No. 181529, from Grass Valley Enterprise to J&J Farm;
 - d. Warranty Deed recorded May 21, 1993, as Instrument No. 188279, from J&J Farm to Grass Valley Enterprise;
 - e. Quitclaim Deed recorded December 29, 1997, as Instrument No. 200958, from Grass Valley Enterprises to J7, LLC;
4. Original Affidavits from Jeffrey C. Johnson, Clair D. Bosen, Earl Ward, Brice Checketts, and Kent Howell, to show that J7, LLC has not abandoned or forfeited Water Right 13-2164, but has diverted its waters from an unnamed spring which a tributary to Deep Creek,

Shelley W. Keen
Page Two
May 23, 2005

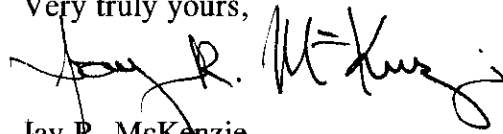
and has used the water therefrom to irrigate land in the North Half of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho, continuously, over a period of at least the last five years;

It is my understanding that a USDA Farm Service Agency aerial photo has previously been submitted to you, outlining the irrigated acres in the North Half of Section 1, and marking the point of diversion.

Hopefully, the enclosed information will be sufficient for you to complete the Change In Water Right Ownership for Water Right No. 13-2164.

If you need additional information, or have any questions, please do not hesitate to give me a call.

Very truly yours,



Jay R. McKenzie
Attorney at Law

JRM:bj
Enclosures

cc. Jeff Johnson

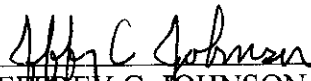
AFFIDAVIT OF JEFFREY C. JOHNSON

STATE OF IDAHO)
) ss
COUNTY OF FRANKLIN)

COMES NOW, JEFFREY C. JOHNSON, being duly sworn upon oath, and deposes and says as follows:

1. My name is Jeffrey C. Johnson. I reside at 1990 North 4000 West, Dayton Franklin County, Idaho.
2. I am the managing member of J7, LLC.
3. I have personally farmed the land belonging to J7, LLC, and I am familiar with Water Right No. 13-2164, and the use of the same for irrigating the farmland of J7, LLC.
4. Based on my own personal knowledge, I am familiar with the use, point of diversion, and place of use, of the J7, LLC water represented by Water Right No. 13-2164, and have been over a period of at least the last five years.
5. Based on my own personal knowledge, J7, LLC has pumped and used the maximum practical amount of water, represented by Water Right No. 13-2164, to be used for irrigation on lands owned by J7, LLC, over at least the past five years.
6. Based on my own personal knowledge, I know that such water has been diverted from an unnamed spring which is a tributary to Deep Creek, and has been used to irrigate the North ½ of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho; and that such use has been continuous over a period of at least five years.

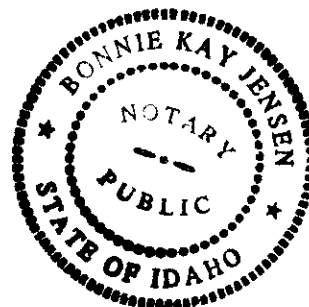
DATED this 13 day of May, 2005.



JEFFREY C. JOHNSON

SUBSCRIBED AND SWORN to before me this 13 day of May, 2005.


NOTARY PUBLIC FOR IDAHO
Residing at: Preston, Idaho
My Commission Expires: 7-7-2006



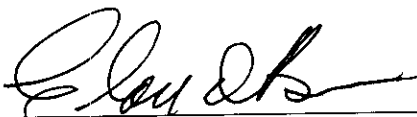
AFFIDAVIT OF CLAIR D. BOSEN

STATE OF IDAHO)
) ss
COUNTY OF FRANKLIN)

COMES NOW, CLAIR D. BOSEN, being duly sworn upon oath, and deposes and says as follows:

1. My name is Clair D. Bosen. I reside at 1042 North State Street, Preston, Franklin County, Idaho.
2. I am the president of Twin Lakes Canal Company.
3. I am one of two members of Bosen Land & Livestock, LLC, which has water rights from Deep Creek. J7, LLC, Water Right No. 13-2164 is also a water right to Deep Creek waters.
4. Based on my own personal knowledge, I am familiar with the use, point of diversion, and place of use, of the J7, LLC water represented by Water Right No. 13-2164, and have been over a period of at least the last five years.
5. Based on my own personal knowledge, I know that such water has been diverted from an unnamed spring which is a tributary to Deep Creek, and has been used to irrigate the North ½ of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho; and that such use has been continuous over a period of at least five years.
6. Further, a couple of years ago, I had to ask J7, LLC to cut back on its use of its Water Right No. 13-2164 pertaining to Deep Creek waters. An ongoing drought had caused significant reduction of water flow in Deep Creek. The Deep Creek water right of Bosen Land & Livestock, LLC, is superior and prior to that of J7, LLC, and for that reason, I asked J7, LLC to cut back on usage, which they did.

DATED this 15th day of May, 2005.

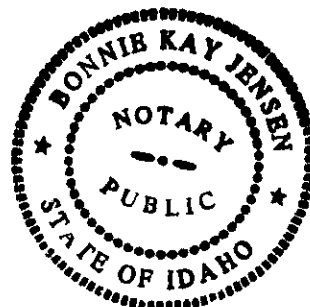


CLAIR D. BOSEN

SUBSCRIBED AND SWORN to before me this 15th day of May, 2005.



NOTARY PUBLIC FOR IDAHO
Residing at: Preston, Idaho
My Commission Expires: ~~11-21-2009~~
7-7-2006



AFFIDAVIT OF EARL WARD

STATE OF IDAHO)
) ss
COUNTY OF FRANKLIN)

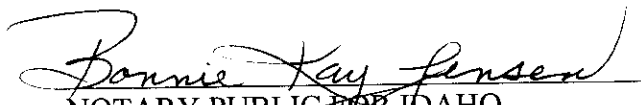
COMES NOW, EARL WARD, being duly sworn upon oath, and deposes and says as follows:

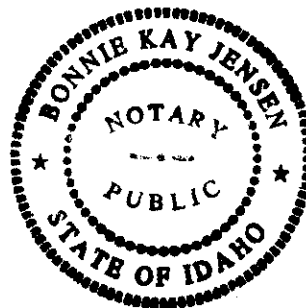
1. My name is Earl Ward. I reside at 1686 North 4000 West, Dayton, Franklin County, Idaho.
2. I am the watermaster for Twin Lakes Canal Company.
3. Based on my own personal knowledge, I am familiar with the use, point of diversion, and place of use, of the J7, LLC water represented by Water Right No. 13-2164, and have been over a period of at least the last five years.
4. Based on my own personal knowledge, I know that such water has been diverted from an unnamed spring which is a tributary to Deep Creek, and has been used to irrigate the North ½ of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho; and that such use has been continuous over a period of at least five years.

DATED this 17th day of May, 2005.


EARL WARD

SUBSCRIBED AND SWORN to before me this 17th day of May, 2005.


NOTARY PUBLIC FOR IDAHO
Residing at: Preston, Idaho
My Commission Expires: 7-7-2006



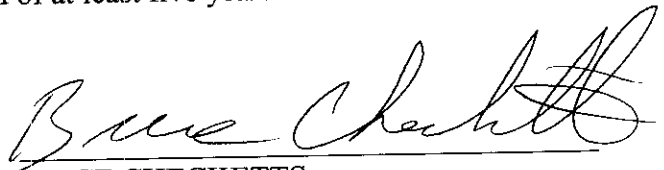
AFFIDAVIT OF BRICE CHECKETTS

STATE OF IDAHO)
) ss
COUNTY OF FRANKLIN)

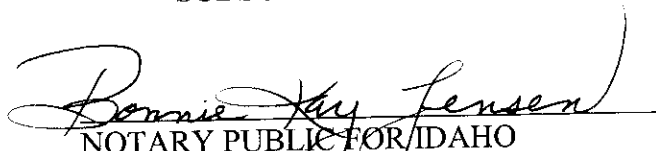
COMES NOW, BRICE CHECKETTS, being duly sworn upon oath, and deposes and says as follows:

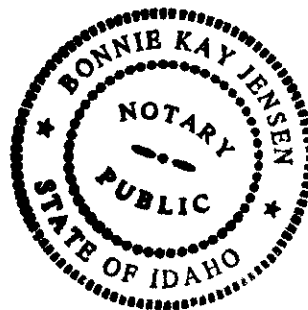
1. My name is Brice Checketts. I reside at 2242 North Westside Hwy., Dayton Franklin County, Idaho.
2. I am a neighbor of Jeffrey C. Johnson, and I have farmland which lies in the same area as the farmland belonging to J7, LLC.
3. Based on my own personal knowledge, I am familiar with the use, point of diversion, and place of use, of the J7, LLC water represented by Water Right No. 13-2164, and have been over a period of at least the last five years.
4. Based on my own personal knowledge, I know that such water has been diverted from an unnamed spring which is a tributary to Deep Creek, and has been used to irrigate the North ½ of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho; and that such use has been continuous over a period of at least five years.

DATED this 17th day of May, 2005.


BRICE CHECKETTS

SUBSCRIBED AND SWORN to before me this 17th day of May, 2005.


NOTARY PUBLIC FOR IDAHO
Residing at: Preston, Idaho
My Commission Expires: 7-7-2006



AFFIDAVIT OF KENT HOWELL

STATE OF IDAHO)
) ss
COUNTY OF FRANKLIN)

COMES NOW, KENT HOWELL, being duly sworn upon oath, and deposes and says as follows:

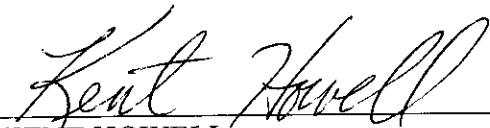
1. My name is Kent Howell. I reside at 3009 North 4000 West, Dayton Franklin County, Idaho.

2. I am a neighbor of Jeffrey C. Johnson, and I have farmland which lies in the same area as the farmland belonging to J7, LLC.

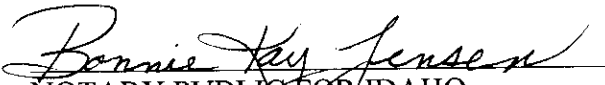
3. Based on my own personal knowledge, I am familiar with the use, point of diversion, and place of use, of the J7, LLC water represented by Water Right No. 13-2164, and have been over a period of at least the last five years.

4. Based on my own personal knowledge, I know that such water has been diverted from an unnamed spring which is a tributary to Deep Creek, and has been used to irrigate the North ½ of Section 1, Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho; and that such use has been continuous over a period of at least five years.

DATED this 16 day of May, 2005.


KENT HOWELL

SUBSCRIBED AND SWORN to before me this 16th day of May, 2005.


NOTARY PUBLIC FOR IDAHO
Residing at: Preston, Idaho
My Commission Expires: 7-7-2006

