

MAR 27 2020

DEPARTMENT OF  
WATER RESOURCESSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
2-2172	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Clarence Vander Stelt and Sons Dairy  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dry Lake Dairy, LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 12492 Big Foot Rd Nampa ID 83686  
Mailing address City State ZIP
- rvstelt@gmail.com  
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: September 15, 2008
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:  
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☒ Filing fee (see instructions for further explanation):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *[Signature]* Member 3/23/2020  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by Ku Date 3-27-2020 Receipt No. C108515 Receipt Amt. 425.00

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_ Approved by \_\_\_\_\_ Processed by *[Signature]* Date 4-6-2020

Attached for recording purposes

ELECTRONICALLY RECORDED - DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT.

**2018-005381**

RECORDED

**02/08/2018 01:22 PM**

CHRIS YAMAMOTO  
CANYON COUNTY RECORDER

Pgs=8 EHOWELL

\$15.00

TYPE: DEED

PIONEER TITLE CANYON - CALDWELL  
ELECTRONICALLY RECORDED

Re-recording Warranty Deed to attach all  
valid signatures for grantor.

WHEN RECORDED RETURN TO:

Larry and Mary Vander Stelt  
Dry Lake Dairy, LLC  
12492 Big Foot Road  
Nampa, Idaho 83686

2008 SEP 19 AM 11 43  
RECORDED  
WILLIAM H. HURST  
CANYON CNTY RECORDER  
BY *[Signature]*  
REQUEST *Dry Lake Dairy*  
TYPE *Deed* FEE *3.00*

2008050449

### WARRANTY DEED

For value received Clarence Vander Stelt and Sons Dairy, A California General Partnership, the Grantor hereby grants, bargains, sells, conveys and warrants unto Dry Lake Dairy, LLC, and Idaho Limited Liability Company, the Grantee whose current address is 12492 Big Foot Road, Nampa, Idaho 83686, the following described premises, to-wit:

The East one-half of Section 13, all in Township 1 North, Range 3 West,  
of the Boise Meridian, Canyon Country, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and wit the said Grantee, that it is the owner in the fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Date: February     , 2006 *Sept 15, 2008*

CLARENCE VANDER STELT AND SONS DAIRY,  
A CALIFORNIA GENERAL PARTNERSHIP

*Steven C. Vander Stelt*  
By *Catherine Vander Stelt*  
It's *Partners*



State of Idaho } ss.  
County of Canyon }  
I hereby certify that the foregoing instrument is  
a true and correct copy of the original as the  
same appears in this office.

DATED *01-23-2018*  
CHRIS YAMAMOTO, Clerk of the District Court  
and Ex Officio Recorder  
By *[Signature]* Deputy

MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC

X *[Signature]*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: *Sept 30, 2010*

JANICE C. HANSON  
NOTARY PUBLIC  
STATE OF IDAHO

STATE OF IDAHO, COUNTY OF CANYON  
On this *15<sup>th</sup>* day of *Sept*, 2008  
*Steven C. Vander Stelt* personally appeared before me,  
who is personally known to me  
whose identity I proved on the basis of  
*2008# FCAAL*  
to be the signer of the above instrument, and he/she  
acknowledged that he/she signed it.

Clarence Vander Stelt and Sons Dairy

BY: Survivor's Trust created at the death of Clarence VanderStelt Under the Vander Stelt Family Trust  
dated September 21, 1989, General Partner

BY:

Catherine Vander Stelt  
Catherine Vander Stelt, Co-Trustee

BY:

Steven C. VanderStelt Steven C. VanderStelt  
Steven C. Vander Stelt, Co-Trustee

BY:

Donald L. Vander Stelt  
Donald L. Vander Stelt, Co-Trustee

BY:

Steven C. VanderStelt Steven C. VanderStelt  
Steven C. Vander Stelt, General Partner

BY:

Lawrence J. Vander Stelt  
Lawrence J. Vander Stelt, General Partner

Dry Lake Dairy, LLC, a Limited Liability Company

By:

Lawrence J. Vander Stelt  
Lawrence J. Vander Stelt, Member

By:

Steven C. VanderStelt Steven C. VanderStelt  
Steven C. Vander Stelt, Member



## All-purpose Acknowledgment California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

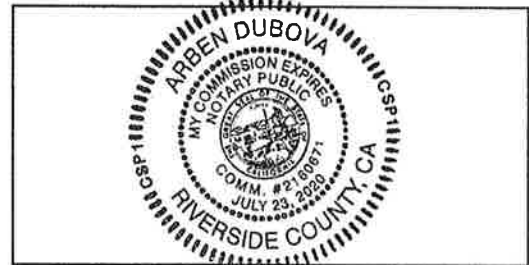
County of Riverside

On 02062018 before me, Arben Dubova, Notary Public (here insert name and title of the officer),

personally appeared Steven C. Vanderstelt

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



Notary Seal

Signature [Handwritten Signature]

WITNESS my hand and official seal.

### For Bank Purposes Only

Description of Attached Document

Type or Title of Document Warranty Deed

Document Date 09/15/2008 Number of Pages 2

Signer(s) Other Than Named Above Catherine Vanderstelt; Donald L. Vanderstelt

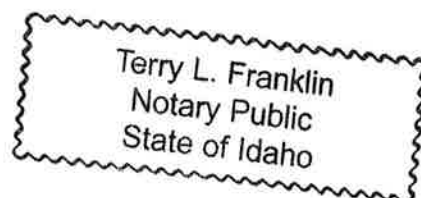


STATE OF IDAHO Canyon  
County of Idaho )ss

This record was acknowledged before me on the 31<sup>st</sup> day of January, 2018 by Catherine Vander Stelt as Co-Trustee of the Survivor's Trust created at the death of Clarence Vander Stelt Under the Vander Stelt Family Trust dated September 21, 1989 as General Partner of Clarence Vander Stelt and Sons Dairy.

Terry Franklin  
Notary Public

My commission expires: 7/19/2023



STATE OF Idaho )  
County of Canyon )ss

This record was acknowledged before me on the        day of       , 2018 by Steven C. Vander Stelt as Co-Trustee of the Survivor's Trust created at the death of Clarence Vander Stelt Under the Vander Stelt Family Trust dated September 21, 1989 as General Partner of Clarence Vander Stelt and Sons Dairy.

See CA Certificate attached AD  
Notary Public  
My commission expires:       

STATE OF Idaho )  
County of Canyon )ss

This record was acknowledged before me on the 2nd day of February, 2018 by Donald L. Vander Stelt as Co-Trustee of the Survivor's Trust created at the death of Clarence Vander Stelt Under the Vander Stelt Family Trust dated September 21, 1989 as General Partner of Clarence Vander Stelt and Sons Dairy.

Kristina West  
Notary Public

My commission expires: 12/26/19





## All-purpose Acknowledgment California only

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State of California

County of Riverside

On 02062018 before me, Arben Dubova, Notary Public (here insert name and title of the officer),

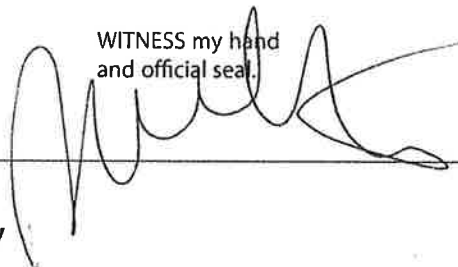
personally appeared Steven C. VanderStelt

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



Notary Seal

Signature 

WITNESS my hand  
and official seal.

### For Bank Purposes Only

Description of Attached Document

Type or Title of Document Warranty Deed

Document Date 08/15/2018 Number of Pages 2 (two)

Signer(s) Other Than Named Above Lawrence J. VanderStelt

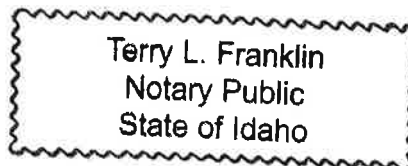


STATE OF IDAHO Canyon  
County of Idaho )ss

This record was acknowledged before me on the 31<sup>st</sup> day of January, 2018 by  
Lawrence J. Vander Stelt as General Partner of Clarence Vander Stelt and Sons Dairy.

Terry Franklin  
Notary Public

My commission expires: 7/19/2023



STATE OF    )  
County of    )ss

This record was acknowledged before me on the    day of   , 2018 by  
Steven C. Vander Stelt as General Partner of Clarence Vander Stelt and Sons Dairy.

See CA notary certificate attached to

Notary Public

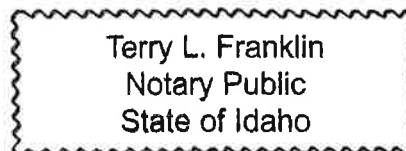
My commission expires:   

STATE OF IDAHO Canyon  
County of Idaho )ss

This record was acknowledged before me on the 31<sup>st</sup> day of January, 2018 by  
Lawrence J. Vander Stelt as Member of Dry Lake Dairy, LLC.

Terry Franklin  
Notary Public

My commission expires: 7/19/2023



STATE OF    )  
County of    )ss

This record was acknowledged before me on the    day of   , 2018 by  
Steven C. Vander Stelt as Member of Dry Lake Dairy, LLC.

See CA notary certificate attached to

Notary Public

My commission expires:





## All-purpose Acknowledgment California only

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State of California

County of Riverside

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personally appeared Steven C. Vanderstelt

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



Notary Seal

Signature [Handwritten Signature]  
WITNESS my hand and official seal.

**For Bank Purposes Only**

Description of Attached Document

Type or Title of Document Warranty Deed

Document Date 09/15/2008 Number of Pages 2 (two)

Signer(s) Other Than Named Above Lawrence J. Vanderstelt





0003461396



**STATE OF IDAHO**  
*Office of the secretary of state, Lawrence Denney*  
**ANNUAL REPORT**  
Idaho Secretary of State  
PO Box 83720  
Boise, ID 83720-0080  
(208) 334-2301  
Filing Fee: \$0.00

For Office Use Only

**-FILED-**

File #: 0003461396

Date Filed: 3/25/2019 9:45:29 AM

Entity Name and Mailing Address: <b>DRY LAKE DAIRY, LLC</b> The file number of this entity on the records of the Idaho Secretary of State is: 0000126150 Address 12492 BIG FOOT RD NAMPA, ID 83686-9138														
Entity Details: Entity Status Active-Existing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W37894														
The registered agent on record is: Registered Agent LAWRENCE VANDER STELT Registered Agent Physical Address 12492 BIGFOOT RD NAMPA, ID 83686 Mailing Address														
Limited Liability Company Managers and Members														
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Address</th></tr></thead><tbody><tr><td>LAWRENCE VANDER STELT</td><td>Member</td><td>12492 BIGFOOT RD NAMPA, ID 83686</td></tr><tr><td>STEVEN VANDER STELT</td><td>Member</td><td>1807 FERRINGTON DR CORONA, CA 92880</td></tr><tr><td>RYAN VANDER STELT</td><td>Member</td><td>12492 BIGFOOT RD NAMPA, ID 83686</td></tr></tbody></table>			Name	Title	Address	LAWRENCE VANDER STELT	Member	12492 BIGFOOT RD NAMPA, ID 83686	STEVEN VANDER STELT	Member	1807 FERRINGTON DR CORONA, CA 92880	RYAN VANDER STELT	Member	12492 BIGFOOT RD NAMPA, ID 83686
Name	Title	Address												
LAWRENCE VANDER STELT	Member	12492 BIGFOOT RD NAMPA, ID 83686												
STEVEN VANDER STELT	Member	1807 FERRINGTON DR CORONA, CA 92880												
RYAN VANDER STELT	Member	12492 BIGFOOT RD NAMPA, ID 83686												
The annual report must be signed by an authorized signer of the entity. <u>Lawrence J Vander Stelt</u> Sign Here Signer's Title: Member <u>03/25/2019</u> Date														

B0210-8595 03/25/2019 9:45 AM Received by ID Secretary of State Lawrence Denney



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

April 06, 2020

DRY LAKE DAIRY, LLC  
12492 BIG FOOT RD  
NAMPA ID 83686-9138

Re: Change in Ownership for Water Right No(s): 2-2172

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley

Technical Records Specialist 2

Enclosure(s)

c: Charles S. Baser- Givens Pursley

# GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street  
PO Box 2720  
Boise, ID 83701  
Telephone: 208-388-1200  
Facsimile: 208-388-1300  
www.givenspursley.com

Charlie S. Baser  
charliebaser@givenspursley.com  
(208) 388-1271

Gary G. Allen  
Charlie S. Baser  
Christopher J. Beeson  
Jason J. Blakley  
Clint R. Bolinder  
Jeff W. Bower  
Preston N. Carter  
Jeremy C. Chou  
Michael C. Creamer  
Amber N. Dina  
Bradley J. Dixon  
Thomas E. Dvorak  
Debra Kristensen Grasham  
Donald Z. Gray  
Alex J. Gross  
Brian J. Holleran

Kersli H. Kennedy  
Neal A. Koskella  
Michael P. Lawrence  
Franklin G. Lee  
David R. Lombardi  
Kimberly D. Maloney  
Kenneth R. McClure  
Kelly Greene McConnell  
Alex P. McLaughlin  
Melodie A. McQuade  
Christopher H. Meyer  
L. Edward Miller  
Judson B. Montgomery  
Deborah E. Nelson  
W. Hugh O'Riordan, LL.M.  
Samuel F. Parry

RECEIVED  
MAR 27 2020  
DEPARTMENT OF  
WATER RESOURCES  
Randall A. Peterman  
Jack W. Relf  
Michael O. Roe  
Jamie Caplan Smith  
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)  
James A. McClure (1924-2011)  
Raymond D. Givens (1917-2008)

March 26, 2020

Via U.S. Mail and Email (david.betts@idwr.idaho.gov)

Dave Betts, Water Resource Agent, Senior  
Idaho Department of Water Resources  
322 E. Front Street, Suite 648  
P.O. Box 83720  
Boise, ID 83720-0098

Re: Dry Lake Dairy, LLC's Applications for Extensions of Time to Avoid Forfeiture

Dear Mr. Betts,

This firm represents Dry Lake Dairy, LLC. This letter is in response to your February 27, 2020 correspondence regarding Dry Lake Dairy, LLC's Applications for Extensions of Time to Avoid Forfeiture.

Attached to this letter are:

(1) a Notice of Change of Water Right Ownership (together with a check for the \$25 filing fee) for water right no. 2-2172, changing its ownership from Clarence Vander Stelt and Sons Dairy to Dry Lakes Dairy, LLC, along with a warranty deed showing that the property associated with the place of use for water right no. 2-2172 is owned by Dry Lake Dairy, LLC, and

(2) a copy of Dry Lake Dairy, LLC's 2019 annual report, filed with the Idaho Secretary of State's office, showing Ryan Vander Stelt as a member of that entity, demonstrating that he has authority to execute documents on its behalf.

I believe this should clear up the issues identified in your letter, but please let me know if there is anything further we can provide you with.

We are not hand-delivering this letter because of the current coronavirus crisis but I expect that, given the situation, you will consider these documents timely submitted, even if the U.S. Mail copy does not make it to you within 30 days of your February 27, 2020 correspondence.

Sincerely,



Charlie S. Baser

CSB:bb

Enclosures (2)

cc: Ryan Vander Stelt

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