Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 27 2019
DEPT. OF WATER RESOURCES
SOUTH CENTRAL REGION

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?
37-12781	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-12783	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Returned	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bootjack Dairy, Inc.
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☐ and/or

P.O. Box 856. — Mailing address
Shoshone — City
Id — State
83352 — ZIP
208-308-7543 — Telephone
Doug Kerner
bootjackdairy1@gmail.com — 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: 11-20-2019.

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):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - 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.

SUPPORT DATA
IN FILE # 37-12781

8. Signature: Douglas Kerner — Signature of new owner/claimant
President — Title, if applicable
11/20/19 — Date

Signature: _____ — Signature of new owner/claimant
_____ — Title, if applicable
_____ — Date

For IDWR Office Use Only:

Receipted by SG Date 11/27/19 Receipt No. 5037649 Receipt Amt. $50.00

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 _____ Date 1-24-2020

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Instrument # 266823
GOODING COUNTY, GOODING, IDAHO
11-20-2019 10:26:32 No. of Pages: 3
Recorded for: TITLEONE - JEROME
DENISE GILL Fee: $15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

WARRANTY DEED

19347060

FOR VALUE RECEIVED,

THE RALPH EGERSDORF and CARLEEN EGERSDORF LIVING TRUST, under Trust document dated the 31st day of May, 2006, and any subsequent amendments thereto, Robin Johns and Robert Allen Egersdorf, Successor Co-Trustees, the "Grantor", does hereby grant, bargain, sell and convey unto **BOOTJACK DAIRY, INC.**, an Idaho corporation, whose address is P.O. Box 856, Shoshone, Idaho 83352, the "Grantee", the following described real property located in Gooding County, Idaho, to wit:

DK

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 9: That part of the SE1/4NE1/4 described as follows:

Beginning at the Northeast corner of Section 9 marked with a 5/8" steel pin and survey cap;
Thence South 1854.70 feet along the Easterly boundary of Section 9 to the TRUE POINT OF BEGINNING;
Thence West 168.46 feet;
Thence Southwesterly 299.75 feet along the Arc of Curve right having a Radius of 1298.69 feet and a long Chord of South 31°33'35" West, 299.09 feet;
Thence South 484.12 feet;
Thence East 325.00 feet to the Easterly boundary of Section 9;
Thence North 738.98 feet along the Easterly boundary of Section 9 to the TRUE POINT OF BEGINNING.
SUBJECT TO a County Road Right-of-Way being 25.00 feet in width along the Easterly boundary.

Together with all water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his successors, heirs and assigns forever. The Grantor does hereby covenant to and with the Grantee, that it is the owner of the real property; that it will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes and assessments for 2019 and subsequent years.
2. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the American Falls Reservoir District No. 2, and the rights, powers, and easements of said district as provided by law.

WARRANTY DEED

19347060

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1. Taxes and assessments for 2019 and subsequent years.
2. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the American Falls Reservoir District No. 2, and the rights, powers, and easements of said district as provided by law.

3. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the Big Wood Canal Company, and the rights, powers, and easements of said district as provided by law.
4. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said Big Wood Canal Company.
5. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said Robertson Ditch Company.
6. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
7. All matters, and any rights, easements, interests or claims as disclosed by Record of Survey recorded April 22, 2004 as Instrument No. 205865.

DATED THIS 19th day of November, 2019.

"GRANTOR"

THE RALPH EGERSDORF AND CARLEEN EGERSDORF LIVING TRUST
u/i/d May 31st, 2006 as amended

Robin Johns, Co Trustee
ROBIN JOHNS,
Co-Trustee

Robert Allen Egersdorf, co trustee
ROBERT ALLEN EGERSDORF,
Co-Trustee

STATE OF IDAHO)
ss:
County of Jerome)

On this 19th day of November, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBIN JOHNS, as Co-Trustee of THE RALPH EGERSDORF AND CARLEEN EGERSDORF LIVING TRUST u/i/d May 31st, 2006, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same in such capacity.

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

Lisa Kerner
NOTARY PUBLIC for Idaho
Residing at: Wendell Id.
Commission Expires: 9-21-2021

LISA KERNER NOTARY PUBLIC Comm. No. 40691 STATE OF IDAHO

STATE OF IDAHO)
ss:
County of Gooding)

On this 20th day of November, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBERT ALLEN EGERSDORF, as Co-Trustee of THE RALPH EGERSDORF AND CARLEEN EGERSDORF LIVING TRUST u/i/d May 31st, 2006, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same in such capacity.

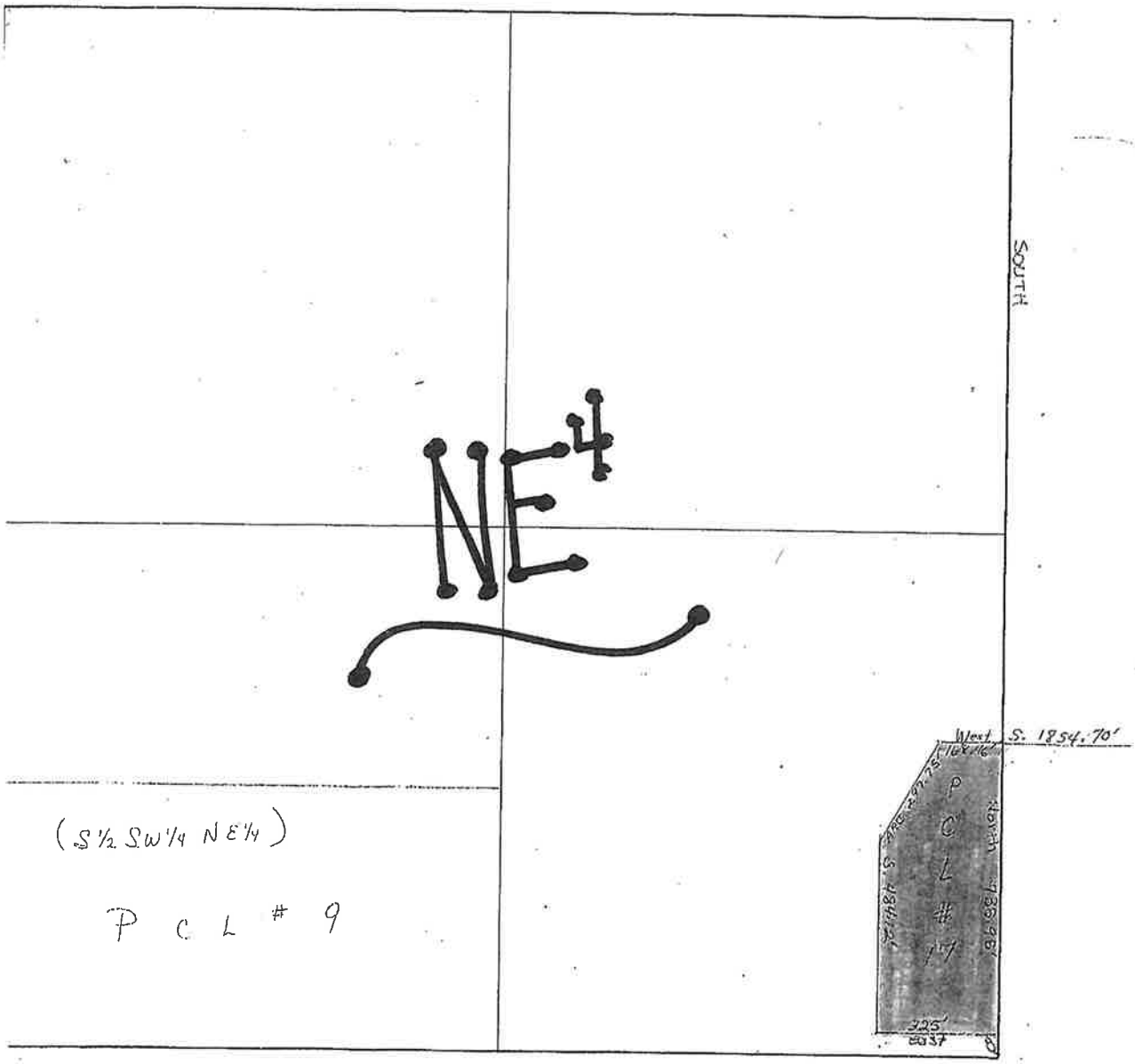
IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Lisa Kerner
NOTARY PUBLIC for Idaho
Residing at: Wendell Id
Commission Expires: 9-21-2021

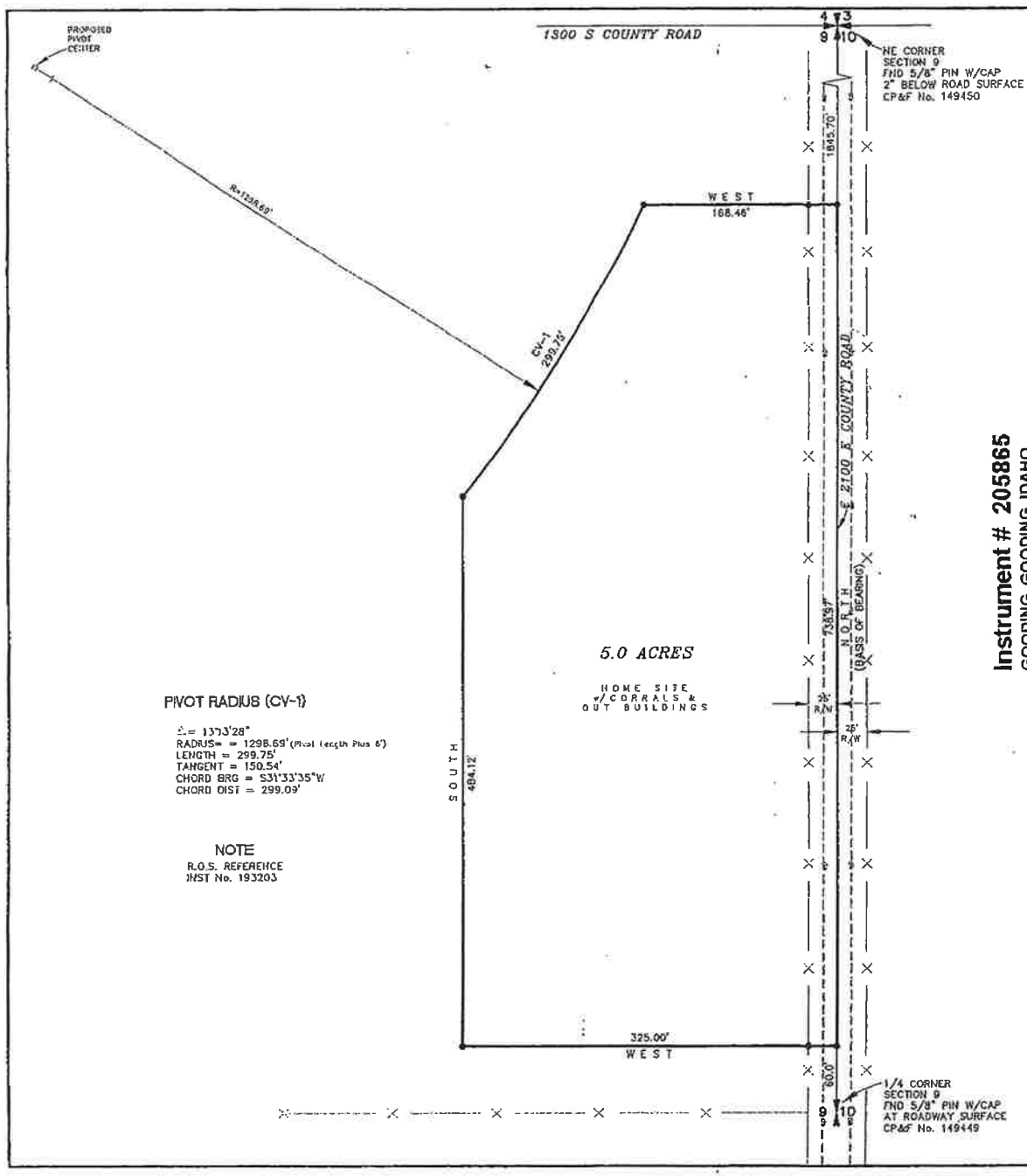
LISA KERNER NOTARY PUBLIC Comm. No. 40691 STATE OF IDAHO

SEC. 9 TWP 5 S RGE 15 EBM.

9-5-15



SCALE 1" = 400'



PIVOT RADIUS (CV-1)

Δ = 13°33'28"
RADIUS = = 1298.69' (Pivot length Plus 6')
LENGTH = 299.75'
TANGENT = 150.54'
CHORD BRG = S31°33'35"W
CHORD DIST = 299.09'

NOTE

R.O.S. REFERENCE
INST No. 193203

Instrument # 205865
GOODING, GOODING, IDAHO
2004-04-22 12:34:05 No. of Pages: 1
Recorded for : RALF LUKE
HELEN EDWARDS Fee: 5.00
Ex-Officio Recorder Deputy Penny Watson

N.

60 30 0 60 120 180
SCALE IN FEET
1" = 60'

LEGEND

- SURVEY BOUNDARY
- EXISTING FENCE LINE
- EXISTING EDGE OF PAVEMENT
- 1/2" REBAR SET W/CAP LS No. 884
- FOUND SECTION CORNER
- FOUND 1/4 CORNER

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of Idaho and that this map was prepared from a survey made under my supervision, and is an accurate representation of said survey

R.D. Critser, L.S.

PROFESSIONAL LAND SURVEYOR REGISTERED 884 STATE OF IDAHO RICHARD D. CRITSER 4-23-04

RECORDER'S CERTIFICATE

State of Idaho)
SS
County Of Gooding)

Filed for record at request of R.D. Critser at page_____ of Book_____ at _____minutes past____o'clock_____.m., this_____ day of _____ 200____.

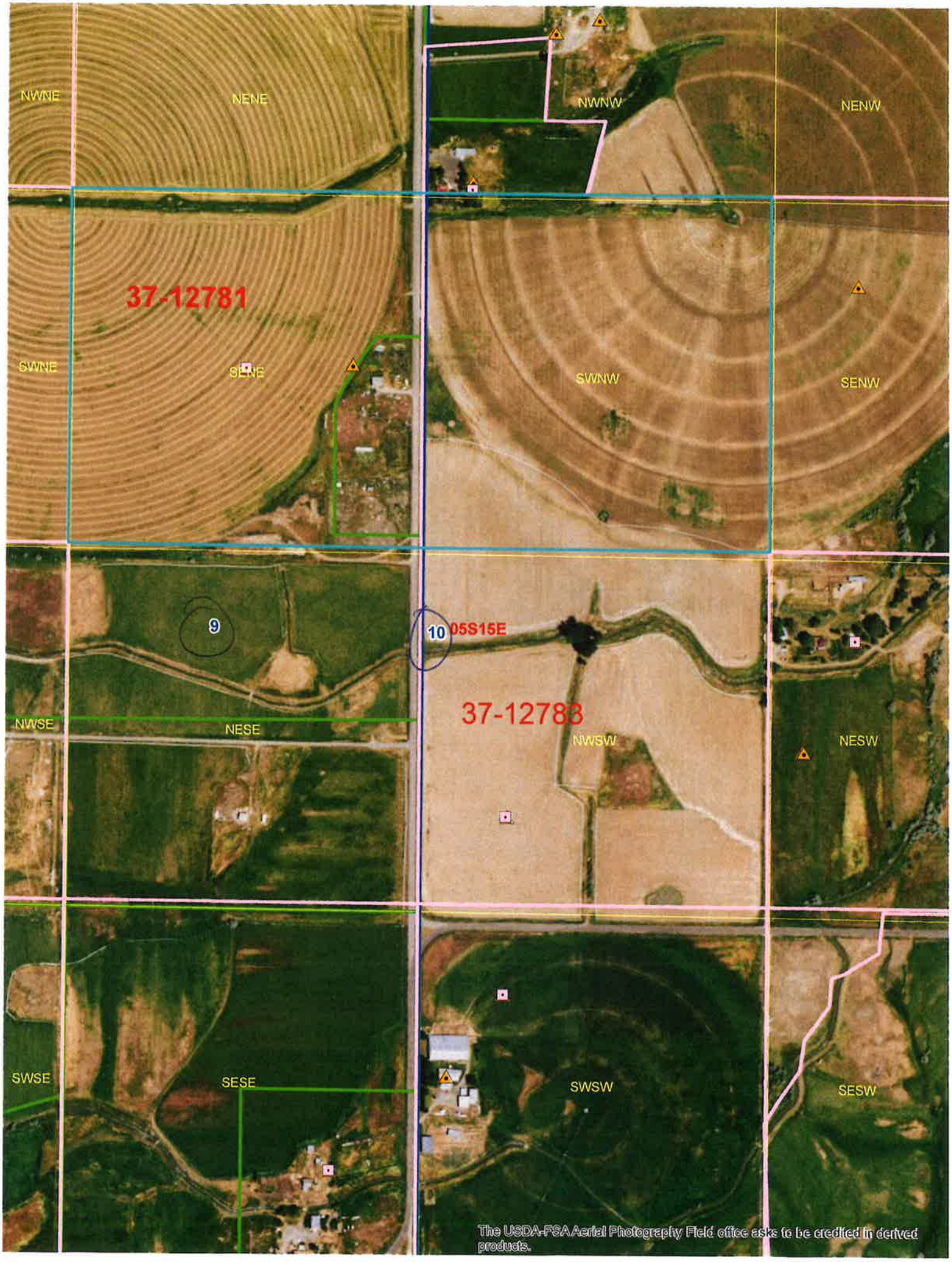
By_____, Deputy

RECORD OF SURVEY
FOR
BOOTJACK LIMITED PARTNERSHIP
c/o HERSHEL KERNER

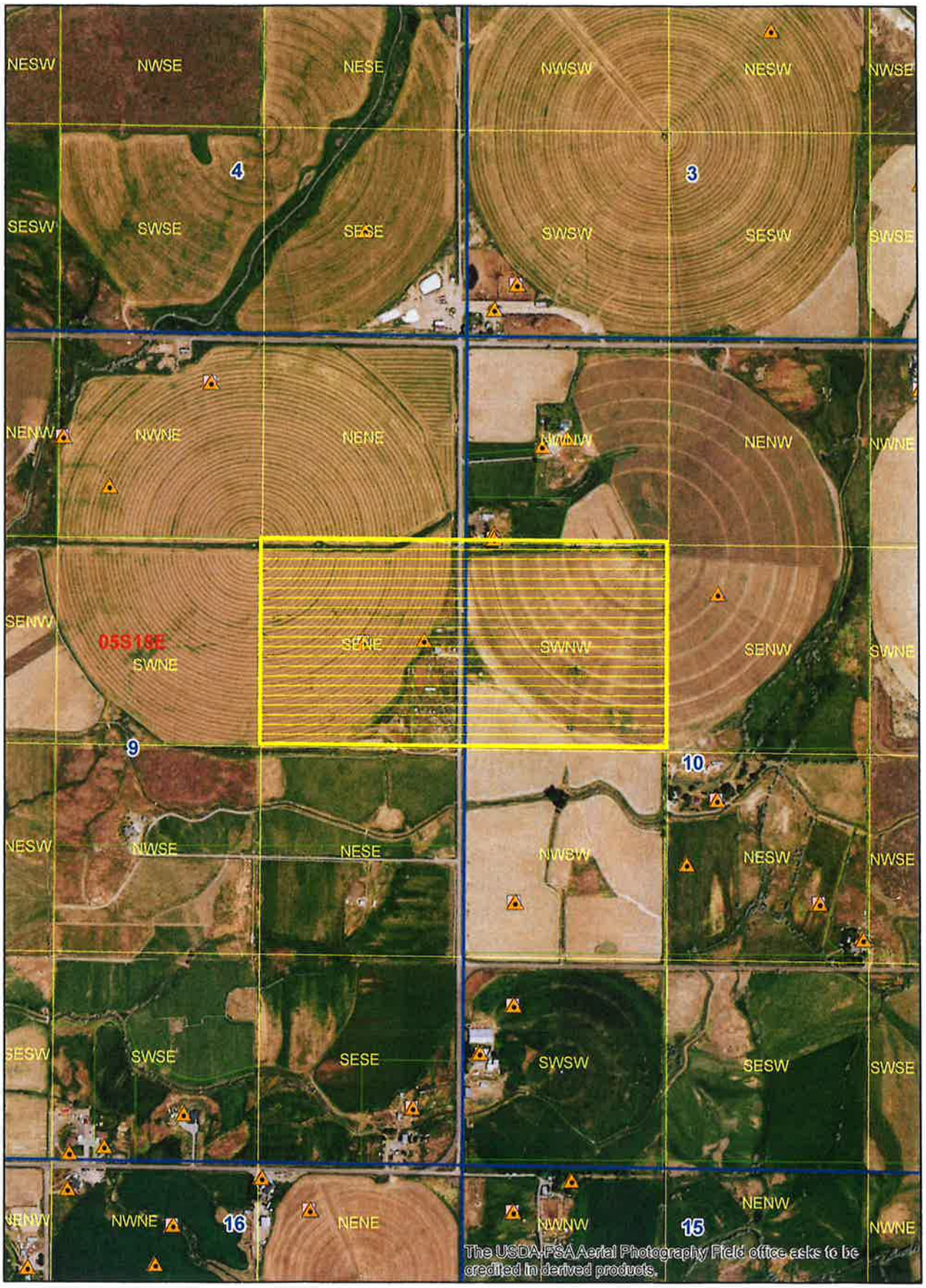
LOCATED IN THE SE 1/4 NE 1/4 SECTION 9, T.5S., R.15E., B.M. GOODING COUNTY, IDAHO

CRITSER LAND SURVEYS
324-8824
L.S. No. 884
322-6145

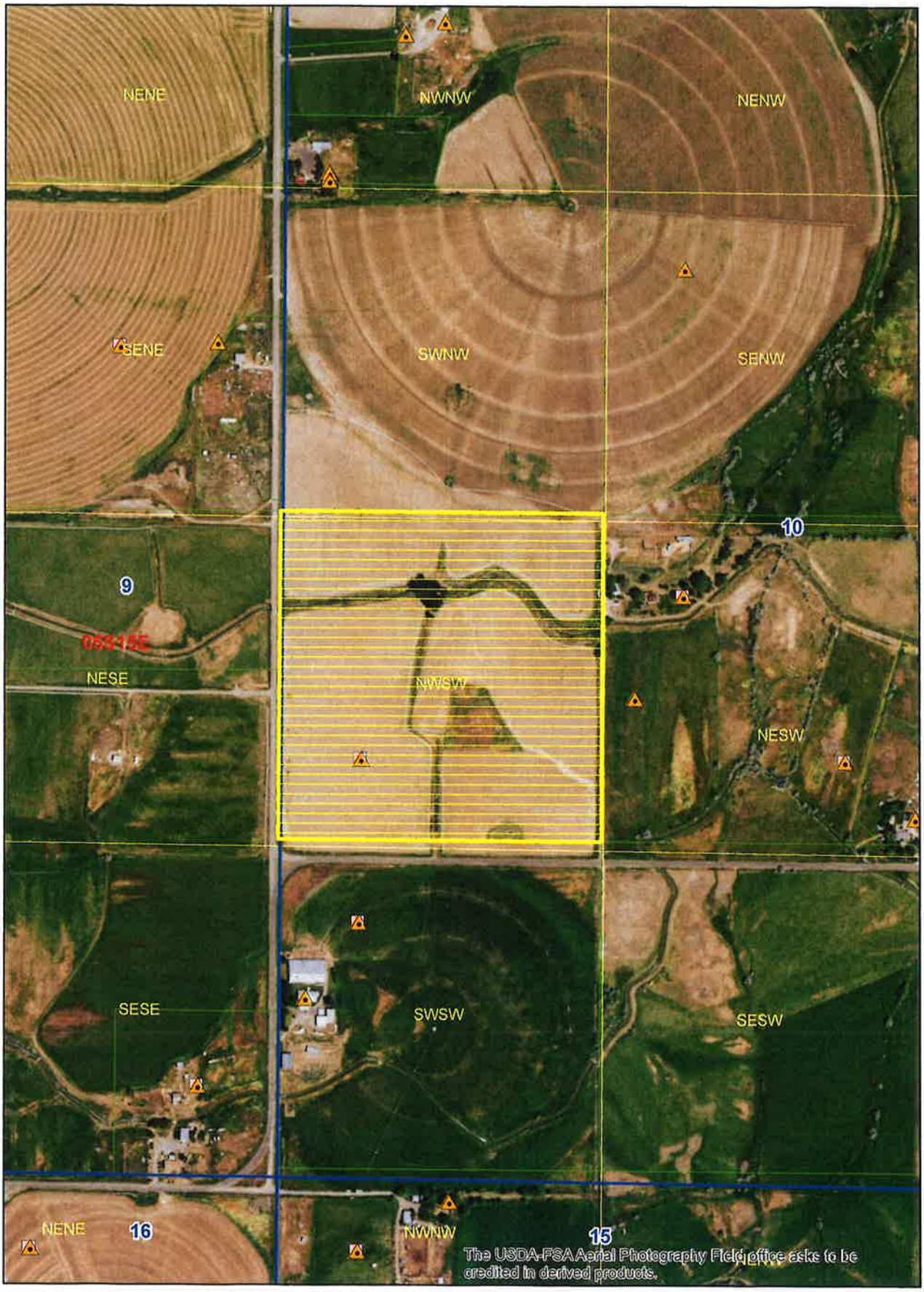
Scale: 1"= 60'	Draft: SFT	Check: DC	Date: 4/20/04
Dwg No.: 03-0-1-0-1-2	Sht. 1 of 1	Job No.:	


NWNE
NENE
NWNW
NENW
37-12781
SWNE
SENE
SWNW
SENW
9
10
05S15E
37-12783
NWSE
NESE
NWSW
NESW
SWSE
SESE
SWSW
SESW
The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

37-12781 Stockwater POU



37-12783 Stockwater and Domestic POU



0003637070

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
REGISTERED AGENT/OFFICE CHANGE
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0003637070

Date Filed: 10/2/2019 2:20:16 PM

The name and address of the entity for which the registered agent is being changed:

Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee $0)
The name of the business entity is:	BOOTJACK DAIRY, INC.
The file number of this entity on the records of the Idaho Secretary of State is:	0000207418

The registered agent on record is:

Registered Agent	SHARON M KERNER Registered Agent Physical Address 505 W 4TH ST SHOSHONE, ID 83352 Mailing Address

The name and street address of the new registered agent and office in Idaho is:

Registered Agent	DOUGLAS KERNER Registered Agent Physical Address 1316 S 2100 E DOUGLAS KERNER GOODING, ID 83330 Mailing Address PO BOX 856 SHOSHONE, ID 83352-0856

☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.

Entity Signature:

Douglas Kerner — Sign Here

10/02/2019 — Date

Signer's Title: Partner

B0364-0541 10/02/2019 2:20 PM Received by ID Secretary of State Lawerence Denney

0003637047

STATE OF IDAHO
Office of the secretary of state, Lawerence 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 #: 0003637047
Date Filed: 10/2/2019 2:10:50 PM

Entity Name and Mailing Address:

BOOTJACK DAIRY M & D, LLC	
The file number of this entity on the records of the Idaho Secretary of State is:	0000246002
Address	PO BOX 856 SHOSHONE, ID 83352-0856

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:	W78637

The registered agent on record is:

Registered Agent	DOUGLAS KERNER Registered Agent Physical Address 1316 S 2100 E GOODING, ID 83330 Mailing Address

The new physical (street) address of the existing agent in Idaho is:

Physical Address	DOUGLAS KERNER 1316 S 2100 E GOODING, ID 83330

The new mailing address of the existing agent in Idaho is:

Mailing Address	PO BOX 856 SHOSHONE, ID 83352-0856

Limited Liability Company Managers and Members

Name	Title	Address
DOUGLAS KERNER	Manager	PO BOX 856 SHOSHONE, ID 83352
MARK KERNER	Manager	PO BOX 856 SHOSHONE, ID 83352

The annual report must be signed by an authorized signer of the entity.

Douglas Kerner — Sign Here
10/02/2019 — Date

Signer's Title: Partner

B0364-0471 10/02/2019 2:11 PM Received by ID Secretary of State Lawerence Denney

Mills, Bill

From: Mills, Bill
Sent: Friday, January 24, 2020 10:28 AM
To: Marston, Sascha
Subject: Refund of $50.00 for Returned Ownership Change
Attachments: Receipt & Check Stub.pdf

Sascha,
I returned A Notice of Change in Water Right Ownership for water rights 37-12781 & 37-12783 as insufficient evidence of ownership was provided. Could you please issue a refund (Receipt #S037649; Check #57034) in the amount of $50.00 to TitleOne? A copy of the receipt and check stub are attached.

Mailing address is:
TitleOne
237 N. Lincoln
Jerome, ID 83338

Thanks,
Bill Mills

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 24, 2020

BOOTJACK DAIRY INC
PO BOX 856
SHOSHONE ID 83352-0856

RE: Water Right Nos: 37-12781 & 37-12783
Change in Ownership

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on 11/27/2019 for the above referenced water rights. The Notice could not be processed because insufficient evidence of water right ownership was submitted with the Notice. Additional conveyance documents are required to demonstrate evidence of complete ownership of the water rights (see enclosed letter requesting additional information for details).

On 12/17/2019, the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of $50.00 has been requested and will be mailed to TitleOne under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

c: TitleOne

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 17, 2019

BOOTJACK DAIRY INC
PO BOX 856
SHOSHONE ID 83352-0856

RE: Water Right Nos: 37-12781 & 37-12783
Change in Ownership

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

(Select all that apply)

____ Filing Fee of $25 per water right <permit>

____ Filing Fee of $100 per water right for changes resulting from division of a water right

____ Signature

____ Notarized Signature for Assignment of Permit

__X__ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

____ Evidence of Security Interest: copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

____ Security Interest Expiration Date

____ Legal Description of Property

____ Plat of Property or Survey Map usually on file with the county

____ USDA Farm Service Agency (formerly ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked

____ Description of Portion of Water Right resulting from division of water right

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water rights indicated in your notice. I have enclosed a copy of the water rights for your reference.

The provided copy of the warranty deed describes a property located in the SENE of Township 05S, Range 15E, Section 9, which describes the Domestic location and part of the stockwater place of use for water right 37-12781. The other part of the stockwater place of use is located in the SWNW of Township 05S, Range 15E, Section 10, which is not described on the copy of the warranty deed provided. Water right 37-12783 stockwater and domestic place of use is located in the NWSW of Township 05S, Range 15E, Section 10 and is also not described on the copy of the warranty deed.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. In this case, the Department requires a copy of a conveyance document indicating ownership of properties in the SWNW & NWSW of Township 05S, Range 15E, Section 10. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

c:TitleOne