

DEV

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

RECEIVED

FEB 02 2009

DEPARTMENT OF WATER RESOURCES

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)
36-2421C					
36-16163					
36-16161					
36-16160					
36-16158					
36-2412C					

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) K&W Dairy, Canyonside Dairy, Boer Brothers
3751 South 2400 East,
Jerome, ID 83338
4. New Owner/Claimant(s) 2+Ranch, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3751 South 2400 East
 City, State and ZIP Code Jerome, ID 83338
 New Telephone Number () Email: _____

SUPPORT DATA

IN FILE # 36-2412C

5. Date you acquired the property _____
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) *Denneth W. Boer* (title if applicable)
- K. S. Boer* (title if applicable)
- Alvin Boer* (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 _____ Date _____

Received by 587 Date 2-2-09

Processed by _____ AJ Date _____

Receipt Amt. \$150-

Receipt No. CG87972

WR _____ Date _____

EXHIBIT "A"

2+ RANCH

TOWNSHIP 9 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 1: Lot 2, 3, and 4; S $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 2: Lot 1, S $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; AND that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Beginning at the center of Section 2 (which is the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$);
Thence South 23°15' East, 695.44 feet;
Thence South 39°23' East, 483.35 feet;
Thence South 44°56' East, 440.0 feet to the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°44'45" East along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 431.65 feet to the Southeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°42'15" West, along the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1326.03 feet to THE POINT OF BEGINNING.

ALSO ALL of the following legal subdivision or such parts thereof as lie North of and above the Snake River Canyon rim.

Section 2: Lots 5 and 6 and the East 26 rods of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 11: Lots 1, 8 and 9, EXCEPT the West 54 rods of Lot 1 North of said rimrock.

Section 12: Lots 4 and 11, EXCEPT tract conveyed to Frank A. Reid by Deed dated July 16, 1928, recorded July 16, 1928 in Book 22 Deeds, Page 162, records of Gooding County, Idaho. (Tract now owned by Idaho Power Company)

EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND:

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 2: A parcel of land located in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$; more particularly described as follows:

Commencing at the North quarter corner of said Section 2, from which the Northwest corner of said Section 2 bears North 89°43'41" West 2643.65 feet;
Thence South 00°15'37" East along the West boundary of the NE $\frac{1}{4}$ of Section 2 for a distance of 318.04 feet to the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2 and being THE TRUE POINT OF BEGINNING;
Thence North 89°50'57" East along the North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2 for a distance Of 1323.61 feet to the Northeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2;
Thence South 00°20'26" East along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2 for a distance of 900.00 feet;

Thence parallel with and approximately 30.0 feet Westerly of the wheel path of an irrigation sprinkler pivot on approximately the following courses:

South 49°45'29" West 55.40 feet;
South 49°10'56" West 71.81 feet;
South 48°19'13" West 109.73 feet;
South 45°47'12" West 105.11 feet;
South 42°43'57" West 104.87 feet;
South 39°39'00" West 108.60 feet;
South 33°09'09" West 109.53 feet;
South 30°55'58" West 109.24 feet;
South 28°31'44" West 103.91 feet;
South 23°41'34" West 112.12 feet;
South 18°21'15" West 109.82 feet;
South 15°45'15" West 104.04 feet;
South 11°19'14" West 107.30 feet;
South 06°59'33" West 35.58 feet;

Thence leaving the parallel line on a bearing of North 81°20'31" West for a distance of 354.23 feet to an existing property corner;

Thence North 23°40'50" West along the property line for a distance of 695.46 feet to the Southwest corner of the SW¼NE¼ of Section 2;

Thence North 00°15'51" West along the West boundary of the SW¼NE¼ of Section 2 for a distance of 1320.18 feet to THE TRUE POINT OF BEGINNING.

END OF EXHIBIT "A"

WARRANTY DEED

#G-38144

Instrument # 229213

GOODING, GOODING, IDAHO

1-27-2009 01:26:27 No. of Pages: 3

Recorded for : LAND TITLE

DENISE M. GILL Fee: 9.00

Ex-Officio Recorder Deputy

For Value Received

Dennis Boer, also shown as Dennis W. Boer an unamrried man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

K & W Dairy, a partnership consisting of ADRIAN K. BOER, JR., LINDA M. BOER, KEVIN S. BOER and KENNETH M. BOER as to an undivided ½ interest; and CANYONSIDE DAIRY, an Idaho general partnership consisting of ADRIAN K. BOER, JR. and KENNETH W. BOER and KEVIN S. BOER, as to an undivided ½ interest
Address: 3751 South 2400 East, Jerome, ID 83338

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2008, which are not yet due or payable.

Assessments of the Lower Snake River Aquifer Recharge District.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Agreement by and between Lewis E. McMahon and Twin Falls North Side Land and Water Company, dated October 14, 1911, recorded October 24, 1911 as Instrument Number 24086, Gooding County records, affecting the SW¼SE¼ and Lot 5 in Section 2, Township 9 South, Range 15, East Boise Meridian.

Terms and conditions of Warranty Deed given by A. S. Henson and Walter T. Ivy, the duly appointed and qualified, acting executors of the Last Will and Testament of Jas. H. Mays, deceased, to Frank A. Reid, dated July 16, 1928, recorded July 16, 1928 in Book 22 Deeds, Page 162, as Instrument Number 46459, Gooding County records.

Transmission Line Easement given by Ida Owen Mays to Idaho Power Company, dated August 21, 1937, recorded August 26, 1937 in Book 4 Page 194 as Instrument Number 68410, Gooding County records, affecting a portion of the SW¼SE¼; Lots 5 and 6 in Section 2, Township 9 South, Range 15, East Boise Meridian.

Power Line Easement given by James R. Stringham and Joy Stringham, husband and wife, to Idaho Power Company, a corporation, dated May 12, 1953, recorded May 29, 1953 in Book 7 Page 226 as Instrument Number 121466, Gooding County records, affecting Sections 1 and 2 of Township 9 South, Range 15 East, Boise Meridian.

Power Line Easement given by Lloyd H. Miller and Donnie Miller, husband and wife, to Idaho Power Company, a corporation, dated March 5, 1963, and recorded June 10, 1963, as Instrument No. 8257, Gooding County records, affecting Lot 2, Section 1, Township 9 South, Range 15, East, Boise Meridian.

Power Line Easement given by Lloyd H. Miller and Helmut Moss, to Idaho Power Company, a corporation, dated March 25, 1964, recorded May 21, 1964, as Instrument No. 11462, Gooding County records, affecting the Lot 2, Section 1, Township 9 South, Range 15, East Boise Meridian.

Easement contained in United States Patent, vesting title in Monna A. Moss on SW¼NE¼, S¼SW¼, W¼SE¼ Section 1, Township 9 South, Range 15, East Boise Meridian, dated April 23, 1980, recorded April 30, 1970, as Instrument No. 31847, Gooding County records, for rights for power line purposes as have been granted to Idaho Power Company, its successors or assigns, by right of way Idaho 04130 under the Act of March 4, 1911, 36 Stat. 1253, as amended 43 U.S.C. 961.

Power Line Easement given by Helmut Moss, to Idaho Power Company, a corporation, dated November 4, 1971, recorded August 4, 1972 as Instrument Number 41414, Gooding County records, affecting the W¼NW¼SE¼ of Section 2, Township 9 South, Range 15 East, Boise Meridian.

Power Line Easement given by Helmut Moss, a bachelor, to Idaho Power Company, a corporation, dated February 9, 1972, recorded January 29, 1973, as Instrument No. 43785, Gooding County records, granting to said corporation, a right of way and easement over and across a portion of Section 1, Township 9 South, Range 15, East Boise Meridian.

Mortgage to secure payment of a note for \$1,500,000.00, and any other amounts as therein provided, together with interest and any other obligations secured thereby:

Recorded: January 16, 1998 as Instrument No. 173804, records of Gooding County, Idaho.

Dated: January 15, 1998

Mortgagor: K & W Dairy, a partnership consisting of Adrian K. Boer, Jr., Dennis Boer; Canyonside Dairy, a partnership

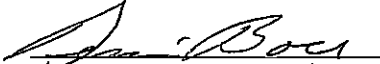
Mortgagee:

con of Adrian K. Boer, Jr., Kenneth W. Boer, Kevin S. Boer; K. Boer, Jr. and Linda M. Boer,
husband and wife, Dennis Boer and Linda B. Boer, husband and wife, Kenneth W. Boer and Stacy L. Boer,
husband and wife, Kevin S. Boer and Jeanna J. Boer, husband and wife
Northwest Farm Credit Services, ACA

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

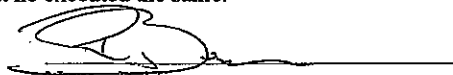
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 15, 2009


Dennis Boer

STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this 26th day of January, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Boer, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at: Jerome, ID
My Commission expires: 7-30-09

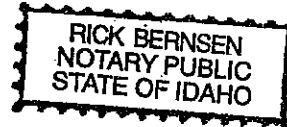


EXHIBIT "A"

2+ RANCH

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Section 12: Lots 4 and 11, EXCEPT tract conveyed to Frank A. Reid by Deed dated July 16, 1928, recorded July 16, 1928 in Book 22 Deeds, Page 162, records of Gooding County, Idaho. (Tract now owned by Idaho Power Company)

EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND:

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

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Thence North 23°40'50" West along the property line for a distance of 695.46 feet to the Southwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2;
Thence North 00°15'51" West along the West boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2 for a distance of 1320.18 feet to THE TRUE POINT OF BEGINNING.

END OF EXHIBIT "A"

QUITCLAIM DEED

For Value Received

K&W DAIRY, a partnership consisting of ADRIAN K. BOER, JR and KEVIN S. BOER
LINDA M. BOER, as to an undivided 1/2 interest And CANYONSIDE DAIRY,
an Idaho general partnership consisting of ADRIAN K. BOER, JR. and KENNETH
W. BOER and KEVIN S. BOER, as to an undivided 1/2 interest

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

2+RANCH, LLC, an Idaho limited liability company
Whose address is: 3751 S. 2400 E. Jerome, Id 83338

Hereinafter called the grantee, the following described premises, in Gooding County, Idaho to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: JANUARY 26, 2009

K & W DAIRY, a partnership

Adrian K. Boer, Jr.
ADRIAN K. BOER, JR., partner

Kevin S. Boer
KEVIN S. BOER, partner

Kenneth W. Boer
KENNETH W. BOER, partner

Linda M. Boer
LINDA M. BOER, partner

CANYONSIDE DAIRY, an Idaho general partnership

Adrian K. Boer, Jr.
ADRIAN K. BOER, JR. partner

Kenneth W. Boer
KENNETH W. BOER, partner

Kevin S. Boer
KEVIN S. BOER, partner

Instrument # 229214

GOODING, GOODING, IDAHO

1-27-2009 01:28:21 No. of Pages: 4

Recorded for : LAND TITLE

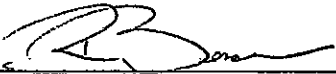
DENISE M. GILL Fee: 12.00

Ex-Officio Recorder Deputy

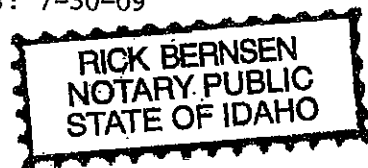
D. Houser

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 26TH day of JANUARY, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared ADRIAN K. BOER, JR, LINDA M. BOER, KEVIN S. BOER AND KENNETH W. BOER, known or identified to me to be the partner or one of the partners in the Partnership of K & W DAIRY, and the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.



Notary Public
Residing at: Jerome, Id
My Commission expires: 7-30-09



STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 26TH day of JANUARY, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared ADRIAN K. BOER, JR, KEVIN S. BOER AND KENNETH W. BOER, known or identified to me to be the partner or one of the partners in the Partnership of CANYONSIDE DAIRY, and the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.



Notary Public
Residing at: Jerome, Id
My Commission expires: 7-30-09

