

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 13 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-11855 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Annette M. Johnson and Terry E. Johnson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Total BS Ranch, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 7879 S 2750 W Victor ID 83455
Mailing address City State Zip
- 208.313.3757 ben@kearsleytreesinc.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: April, 2023
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.

8. Signature: *[Signature]* Title, if applicable: _____ Date: 4/7/23
Signature of new owner/claimant

Ben Kearsley _____
Print name

Signature: *[Signature]* Title, if applicable: _____ Date: 4/7/23
Signature of new owner/claimant

Shaylee Kearsley _____
Print name

Received by JB Date 4/13/2023 For IDWR Office Use Only: Receipt No. E049073 Receipt Amt. \$25.-

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 JB Processed by JB Date 4/13/2023

RECORDING REQUESTED BY:
Teton County Title

AND WHEN RECORDED MAIL TO:
Teton County Title
PO Box 338
Victor, ID 83455

Instrument # 178043

DRIGGS, TETON, IDAHO
2006-06-26 03:28:54 No. of Pages: 1
Recorded for: TETON TITLE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

RECEIVED

JUN 26 2006

TETON CO., ID
CLERK RECORDER

WARRANTY DEED

FOR VALUE RECEIVED

Terry E. Johnson and Annette Johnson, Husband and Wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto
Victory Ranches LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: PO Box 408, Victor, ID 83455
the following described premises, to wit:

Parcel 1:

The Southwest Quarter, Section 3, Township 3 North, Range 45 E.B.M., Teton County,
Idaho.

LESS AND EXCEPTING THEREFROM: A portion of the SW ¼ of Section 3, Township 3
North, Range 45 E.B.M, Teton County, Idaho, being the land between the Western Line of
said SW ¼ and the existing fenceline, being described as follows:

Beginning at the SW corner of the SW ¼ of said Section 3 and running N 00° 11' 17" W.,
1319.71 ft. along the Western line of the SW ¼;
thence S 89° 16' 37" E., 49.67 ft. more or less to the fenceline;
thence S 00° 32' 10" W., 1319.59 ft. more or less along the fenceline;
thence N 89° 12' 23" W., 33.00 ft. more or less to the point of beginning

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building
and zoning ordinances and use regulations of record, and payment of accruing taxes and
assessments as agreed to by parties above.

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 with
the said Grantee, that it is the owner in 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.

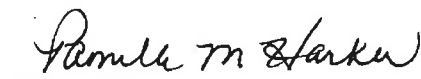
Dated this 22nd day of June, 2006.


Terry E Johnson


Annette Johnson
178043

STATE OF Idaho)
) ss.
COUNTY OF Teton)

On this 22nd day of June, 2006, before me, the undersigned, a Notary Public, in and for said
State, personally appeared Terry E. Johnson and Annette Johnson known to me, and/or identified
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.
WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public
Residing at: Tetonia, Idaho
My commission expires: January 23, 2007

178043

178044

File Number: 50445

RECORDING REQUESTED BY:
Teton County Title

AND WHEN RECORDED MAIL TO:
Teton County Title
PO Box 338
Victor, ID 83455

Instrument # 178044
DRIGGS, TETON, IDAHO
2006-06-26 03:29:21 No. of Pages: 1
Recorded for: TETON TITLE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

RECEIVED
JUN 26 2006
TETON CO., ID
CLERK RECORDER

WARRANTY DEED

FOR VALUE RECEIVED

Terry E. Johnson and Annette Johnson also known as Annette M. Johnson, Husband and Wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Victory Ranches LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: **PO Box 408, Victor, ID 83455**

the following described premises, to wit:

Parcel 2:

South half of Northeast Quarter,

Southeast ¼ of the Northwest Quarter ¼,

North East ¼ of the South East ¼, all in Section 4, Township 3 North, Range 45 E.B.M

Parcel 3:

Commencing at a point 87 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 3 North, Range 45 E.B.M. and running thence North 1233 feet; thence West 1252 feet, more or less to the East line of Trail Creek; thence Southeasterly along the East line of Trail Creek to the point of beginning.

And as relinquished property in an I.R.C. 1031 Tax Deferred Exchange

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

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 with the said Grantee, that it is the owner in 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.

Dated this 22nd day of June, 2006.

Terry E. Johnson
Terry E. Johnson

Annette Johnson
Annette Johnson
Annette M. Johnson
Annette M. Johnson
178044

STATE OF Idaho)

) ss.

COUNTY OF Teton)

On this 22nd day of June, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Terry E. Johnson and Annette Johnson also known as Annette M. Johnson**, known to me, and/or identified 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.

WITNESS MY HAND AND OFFICIAL SEAL.

Pamela M. Harker
Notary Public
Residing at: Tetonia, Id
My commission expires: January 23, 2007

178044

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 280175

TETON COUNTY, IDAHO
04-07-2023 13:37:00 No. of Pages: 3
Recorded for: FLYING S TITLE AND ESCROW - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1062352-T (jw)**

Date: **March 21, 2023**

For Value Received, **Victory Ranches LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **THE TOTAL BS RANCH, LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **7879 S 2750 W, Victor, ID 83455**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Parcel 1:

The Southwest Quarter, Section 3, Township 3 North, Range 45 E.B.M , Teton County, Idaho.

LESS AND EXCEPTING THEREFROM: A portion of the SW $\frac{1}{4}$ of Section 3, Township 3 North, Range 45 E.B.M, Teton County, Idaho, being the land between the Western Line of said SW $\frac{1}{4}$ and the existing fenceline, being described as follows:

**Beginning at the SW corner of the SW $\frac{1}{4}$ of said Section 3 and running N 00°11'17" W., 1319.71 ft. along the Western line of the SW $\frac{1}{4}$;
thence S 89°16'37" E., 49.67 ft. more or less to the fenceline;
thence S 00°32'10" W., 1319.59 ft. more or less along the fenceline;
thence N 89°12'23" W., 33.00 ft. more or less to the point of beginning.**

Parcel 2:

Township 3 North, Range 45 E.B.M., Teton County, Idaho.

Section 4: NE $\frac{1}{4}$ SE $\frac{1}{4}$

Parcel 3:

Township 3 North, Range 45 E.B.M., Teton County, Idaho.

Section 4: Commencing at a point 87 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 3 North, Range 45 E.B.M. and running thence North 1233 feet; thence West 1252 feet, more or less to the East line of Trail Creek; thence Southeasterly along the East line of Trail Creek to the point of beginning.

Parcel 4:

Township 3 North, Range 45 E.B.M., Teton County, Idaho.

Section 4: S $\frac{1}{2}$ NE $\frac{1}{4}$

Parcel 5:

Township 3 North, Range 45 E.B.M., Teton County, Idaho.

Section 4: SE $\frac{1}{4}$ NW $\frac{1}{4}$

Date: 03/21/2023

Warranty Deed
- continued

File No.: 1062352-T (jw)

Deed of Conservation Easement recorded on December 28, 2001, in the records of Teton County, Idaho as Instrument No. 146077. The terms and conditions of such Conservation Easements are incorporated herein by reference and the above described parcels are transferred and conveyed subject to the terms and conditions of such Conservation Easements.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/21/2023

Warranty Deed
- continued

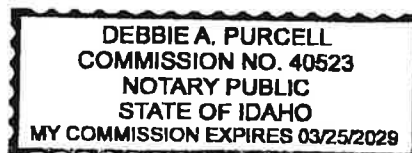
File No.: 1062352-T (jw)

Victory Ranches LLC, an Idaho limited liability
companyBy: BOSS 313, LLC, an Idaho limited liability
company, ManagerBy: TJ-2 Holdings, LLC, an Idaho limited liability
company

By: _____

Name: K Jayce Howell
Title: ManagerSTATE OF Idaho)
COUNTY OF Bonneville)
SS.

On this 4/7/23, before me, a Notary Public in and for said State, personally appeared **K Jayce Howell, Manager of TJ-2 Holdings, LLC an Idaho limited liability company, Manager of BOSS 313, LLC an Idaho limited liability company**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Victory Ranches LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.



Debbie A Purcell
Notary Public of
Residing at: Idaho Falls, ID
Commission Expires:



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 13, 2023

THE TOTAL BS RANCH LLC
7879 S 2750 W
VICTOR ID 83455-5514

Re: Change in Ownership for Water Right No(s): 22-11855

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) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

Baily, Jonie

From: Baily, Jonie
Sent: Thursday, April 13, 2023 2:55 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E049058
Amount: \$75.00
Payable to: PROBST RASPBERRY LLC
3141 W SAMARIA RD
MALAD CITY ID 83252

Reason: Ownership change filed for 3 water rights. One split requested but after talking to the new owner a split is not required. Therefore the applicant is entitled to a partial refund.

Let me know if you have any questions or need additional information. Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Baily | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov