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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN 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?
67-196	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	67-4436	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
67-197	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	67-7109	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
67-198	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	67-7819	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
67-199	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	67-7820	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
67-2113 A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Mark Martin Lively and Deborah Lively, husband and wife
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cuddy Mountain Ranch LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 358 Moon Ranch St., Bakersfield CA 93314
Mailing address City State ZIP
- 661-588-3299
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: June 12, 2020
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 # 67-196

8. Signature: Thomas J. Willis Thomas J. Willis, individually 6-10-2020
Signature of new owner/claimant Title, if applicable Date
- Signature: Linda Willis Linda Willis, individually 6/10/2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by LE Date 8-5-2020 Receipt No. W048598 Receipt Amt. \$75.

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 Cuddy Mountain Ranch Approved by [Signature] Processed by [Signature] Date 8-10-2020

Instrument # 241424

STATE OF IDAHO, COUNTY OF WASHINGTON
2020-07-01 10:54:23 AM No. of Pages: 6
Recorded for: MARTIN & ESKELOSON, PLLC
DONNA ATWOOD Fee: \$15.00
Ex-Officio Recorder Deputy MMcConnell
Index To: DEED
Electronically Recorded by Simplifile

GRANT DEED

THIS INDENTURE is made this 24 day of JUNE, 2020, between **THOMAS J. WILLIS AND LINDA WILLIS**, husband and wife, of Kern County, State of Idaho (collectively the "Grantors"), and **CUDDY MOUNTAIN RANCH LLC**, an Idaho limited liability company, whose mailing address is 385 Moon Ranch Rd., Bakersfield, CA 93314, the "Grantee."

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, have granted, and by these presents do grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Washington, State of Idaho, to-wit:

See **Exhibit "A"** attached hereto and by this reference incorporated herein.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

This property transferred is conveyed subject to that certain mortgage recorded as instrument no. 241290, records of Washington County, Idaho, and the debt secured thereby. By acceptance of this deed, the Grantee hereby assumes the obligations set forth in said mortgage and the instrument(s) secured thereby.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.



THOMAS J. WILLIS


LINDA WILLIS

Agreed:

CUDDY MOUNTAIN RANCH LLC

BY: 
Thomas J. Willis, Manager

BY: 
Linda Willis, Manager

STATE OF CALIFORNIA)
) ss.
 County of _____)

**please see
attached
certificate*

On the _____ day of _____, 2020, before me, the undersigned notary public in and for said State, personally appeared **THOMAS J. WILLIS and LINDA WILLIS**, known or identified to me to be the persons whose names are subscribed to the within Grant Deed, and acknowledged to me that they executed the same.

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

(seal)

 Notary Public for _____
 Residing at _____
 My Commission Expires: _____

STATE OF CALIFORNIA)
) ss.
 County of _____)

**please
see
attached
certificate.*

On the _____ day of _____, 2020, before me, the undersigned notary public in and for said state, personally appeared Thomas J. Willis and Linda Willis, known or identified to me to be the Managers of the limited liability company that executed the foregoing instrument or the persons who executed the foregoing instrument on behalf of said company, and acknowledged to me that such company executed the same.

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

(SEAL)

 Notary Public for California
 Residing at _____
 My Commission Expires: _____

EXHIBIT "A"

In Township 16 North, Range 4 West, Boise Meridian, Washington County, Idaho:

Section 15: SW1/4NE1/4NW1/4NW1/4,
S/2NW1/4NW1/4NW1/4 Except that portion lying within Homestake Load
M.S.1512,
SW1/4NW1/4NW1/4,
W1/2SE1/4NW1/4NW1/4,
NW1/4NE1/4SW1/4NW1/4,
N1/2.NW1/4SW1/4NW1/4,
S1/2S1/2,
S1/2SW1/4SW1/4NW1/4,
NW1/4NW1/4SW1/4,
W1/2SW1/4NW1/4SW1/4,
E1/2SW1/4NW1/4SW1/4

Section 17: S1/2NE1/4,
N1/2SE1/4,
That part of the E1/2W1/2 lying Easterly of the right-of-way for State
Highway 71;

Section 22: N1/2,
SW1/4,
NW1/4SE1/4;
NE1/4SE1/4;
N/2SW1/4SE1/4;
SW1/4SW1/4SE1/4;
E1/2SE1/44SE1/44

M:\M&E\ID2\E38B6975-6C0C-4158-B207-62DF8B23AD12\0\104000-104999\104500\L\L\Deed(Willis-Cuddy) (ID 104500).wpd

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Kern)On June 24, 2020 before me, Esmeralda Medel, Notary Public

Date

Here Insert Name and Title of the Officer

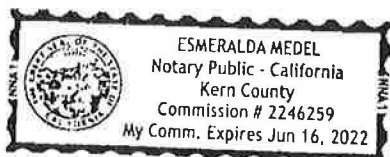
personally appeared Linda Willis and Thomas J. Willis

Name(s) of Signer(s)

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.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Grant DeedDocument Date: 6/24/2020Number of Pages: 4

Capacity(ies) Claimed by Signer(s)

Signer's Name: Linda Willis☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☒ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: Thomas J. Willis☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☒ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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State of California

County of KernOn June 24, 2020 before me, Esmeralda Medel, Notary Public

Date

Here Insert Name and Title of the Officer

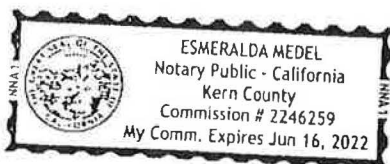
personally appeared Linda Willis and Thomas J. Willis

Name(s) of Signer(s)

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.

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Signature

Signature of Notary Public

Place Notary Seal Above

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Description of Attached Document

Title or Type of Document: Grant DeedDocument Date: 6/24/2020Number of Pages: 2

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Signer's Name: Linda Willis☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☒ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: Thomas J. Willis☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☒ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

(Space Above for Recorder's Use)

WARRANTY DEED

For value received MARK M. LIVELY and DEBORAH LIVELY, husband and wife ("Grantor"), conveys, grants, bargains, and sells to THOMAS J. WILLIS and LINDA WILLIS, husband and wife ("Grantee"), whose address is 358 Moon Ranch St., Bakersfield, CA 93314 and their successors and assigns forever, that certain real property situated in Washington County, State of Idaho, more particularly described in 'Exhibit A,' hereto.

[See Exhibit A]

SUBJECT TO reservations, covenants, conditions, restrictions and easements for all existing roads and utility installations all as the same appear of record or are apparent from an inspection of the Property, including also, discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the real property herein described.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said real property; that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

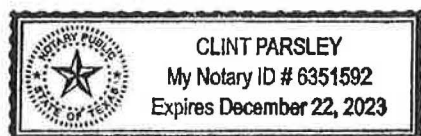
AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONVEYANCE, GRANTOR AND GRANTEE AGREE THAT GRANTEE HAS TAKEN THE PROPERTY "AS IS" "WHERE IS" WITH ANY AND ALL LATENT AND PATENT DEFECTS, AND THAT THERE IS NO WARRANTY BY GRANTOR THAT THE PROPERTY IS HABITABLE, SUITABLE OR FIT FOR A PARTICULAR PURPOSE. GRANTEE ACKNOWLEDGES THAT GRANTEE IS NOT RELYING UPON ANY REPRESENTATION, STATEMENT OR OTHER ASSERTION WITH RESPECT TO THE PROPERTY CONDITION, GRANTEE HAS CONDUCTED SUCH INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY AS GRANTEE DEEMED NECESSARY, INCLUDING, BUT NOT LIMITED TO, PHYSICAL AND ENVIRONMENTAL CONDITIONS, AND HAS RELIED UPON SAME. GRANTEE ASSUMES THE RISK THAT ADVERSE MATTERS, INCLUDING, BUT NOT LIMITED TO ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS. AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONVEYANCE, GRANTEE TAKES THE PROPERTY UNDER THE EXPRESS UNDERSTANDING THERE ARE NO EXPRESS OR IMPLIED WARRANTIES (EXCEPT FOR LIMITED WARRANTIES OF TITLE SET FORTH IN THIS DEED).

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 11th day of June, 2020, made effective June 12, 2020.

Mark M. Lively
Mark M. Lively
Deborah Lively
Deborah Lively

State of Texas)
) ss.
County of Travis)

This instrument was acknowledged before me on June 11, 2020, by Mark M. Lively and Deborah Lively.



Clint Parsley
NOTARY PUBLIC, State of Texas

Exhibit A

In Township 16 North, Range 4 West, Boise Meridian, Washington County, Idaho;

- Section 15: SW1/4NE1/4NW1/4NW1/4,
S1/2NW1/4NW1/4NW1/4 Except that portion lying
within Homestake Load M.S. 1512,
SW1/4NW1/4NW1/4,
W1/2SE1/4NW1/4NW1/4,
NW1/4NE1/4SW1/4NW1/4,
N1/2NW1/4SW1/4NW1/4,
S1/2S1/2,
S1/2SW1/4SW1/4NW1/4,
NW1/4NW1/4SW1/4,
W1/2SW1/4NW1/4SW1/4,
E1/2SW1/4NW1/4SW1/4
- Section 17: S1/2NE1/4,
N1/2SE1/4,
That part of the E1/2W1/2 lying Easterly of the right-of-way for State Highway 71;
- Section 22: N1/2,
SW1/4,
NW1/4SE1/4;
NE1/4SE1/4;
N1/2SW1/4SE1/4;
SW1/4SW1/4SE1/4;
E1/2SE1/4SE1/4



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

Brad Little
Governor

Gary Spackman
Director

August 10, 2020

CUDDY MOUNTAIN RANCH LLC
358 MOON RANCH ST
BAKERSFIELD CA 93314-7860

Re: Change in Water Right Ownership: 67-196, 67-197 (Split into 67-197 and **67-15363**),
67-198, 67-199, 67-2113A, 67-4436, 67-7109, 67-7819 & 67-7820

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

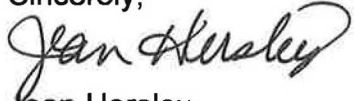
Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years 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(s) 67-197 and the split portion, 67-15363, was leased to the Water Supply Bank (Bank) in 2017. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the Bank until December 31, 2021 unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Also 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,

A handwritten signature in cursive script, appearing to read "Jean Hersley".

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Mark Martin Lively
Chris M Bromley
Water District No. 67

RECEIVED
AUG 07 2020
DEPARTMENT OF
WATER RESOURCES

RECEIVED
AUG 05 2020
WATER RESOURCES
WESTERN REGION

Law Offices of
MARTIN & ESKELSON, PLLC

Stephen E. Martin, E-mail: stephen@martineskelson.com
Scott P. Eskelson, E-mail: scott@martineskelson.com

P.O. BOX 3189
IDAHO FALLS, ID 83403-3189
PHONE: (208) 523-6644
FAX: (208) 522-0791

OFFICES:
425 S. HOLMES
IDAHO FALLS, ID 83401

August 3, 2020

Ms. Jean Hearsley
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Id 83705-5082

WATER RESOURCES

RE: Water Rights - Cuddy Mountain Ranch LLC - Right No. 67-197

Dear Ms. Hearsley:

Enclosed will be our check in the amount of \$75.00 to cover the split fee for the above identified water right. We appreciate the information you provided. Please proceed with the transfer and division.

Very truly yours,



Scott P. Eskelson

Enclosures

cc: Tom & Linda Willis

20aug03-IDWR.wpd

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, July 16, 2020 11:07 AM
To: 'scott@martineskelson.com'
Subject: ownership change for Cuddy Mountain Ranch LLC
Attachments: 67-197 wrWaterRightProofReport.pdf; 67-197_01_261803.pdf

Mr. Eskelson,

The Department of Water Resources received your request to update the ownership of 9 water rights in Basin 67 for Cuddy Mountain Ranch, LLC. There is a 3 acre portion located in Township 16N, Range 04W, Section 15, NESW that was not conveyed. The current owner of land appurtenant to this property, according to our records, is Mildred D Bratcher. If there is additional documentation that states otherwise, it appears that water right 67-197 will need to be split. I have attached a water right report and a map with the water right outlined in yellow and the portion of the NESW highlighted in yellow.

The filing fee to split a water right is \$100. An additional \$75 will be needed to continue processing this change. Please provide the additional fee within 30 days or the ownership of this water right will not be updated. Please let me know if you have any questions. Thank you.

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

Law Offices of
MARTIN & ESKELSON, PLLC

Stephen E. Martin, E-mail: stephen@martineskelson.com
Scott P. Eskelson, E-mail: scott@martineskelson.com

P.O. BOX 3189
IDAHO FALLS, ID 83403-3189
PHONE: (208) 523-6644
FAX: (208) 522-0791

RECEIVED
JUL 08 2020
DEPARTMENT OF
WATER RESOURCES

OFFICES:
425 S. HOLMES
IDAHO FALLS, ID 83401

July 1, 2020

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Water Right Transfer - Cuddy Mountain Ranch LLC

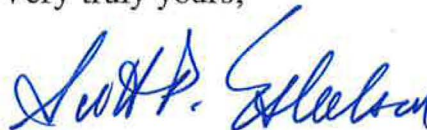
Ladies and Gentlemen:

Attached please find:

1. Notice of Change in Water Right Ownership; please note one right is leased to the Water Supply Bank.
2. Copy of deed from current owner Livelys to Willis. A copy of a second deed to Cuddy Mountain Ranch LLC. This is an entity wholly owned by Mr. And Mrs. Willis.
3. Copy of W-9 form for water supply bank lease payments.
4. Check in the amount of \$225.00 to cover the 25.00 fee for nine rights transferred.

From my prior conversation with your office, one transfer into the new LLC is possible. Please return the completed documents to my attention.

Very truly yours,



Scott P. Eskelson

Enclosures

cc: Tom & Linda Willis, without encl.

20july01-IDWR (ID 104641).wpd