

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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MAR 30 2020

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?
77-10092	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
77-10093	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
77-10094	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: SHEPP RANCH, LLC.  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): SHEPP RANCH RESORT, LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. BOX 11890 BOZEMAN MT 59719  
Mailing address City State ZIP  
406-582-8100 abraxton@blackridgeco.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: MARCH 9, 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):
    - 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.

**SUPPORT DATA** **SCANNED**  
**IN FILE #** 77-10092 **APR 13 2020**

8. Signature: [Signature] member 3-20-20  
Signature of new owner/claimant Title, if applicable Date

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

### For IDWR Office Use Only:

Received by KM Date 3-30-2020 Receipt No. C108518 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 \_\_\_\_\_ Approved by \_\_\_\_\_ Processed by RD Date 4/13/2020



Barker Rosholt  
& Simpson LLP

**Albert P. Barker**

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WEB: idahowaters.com

**Boise**

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Boise, Idaho 83702  
p. 208.336.0700  
f. 208.344.6034

**Attorneys**

John A. Rosholt  
Albert P. Barker  
John K. Simpson  
Travis L. Thompson  
Scott A. Magnuson  
Jonas A. Reagan

March 24, 2020

Idaho Department of Water Resources  
322 E. Front Street, Suite 648  
Boise, ID 83702-7371

Re: Notice of Change in Water Right Ownership Nos. 77-10092, 77-10093 & 77-10094

Dear Clerk,

Enclosed please find the signed Notice of Change in Water Right Ownership for Shepp Ranch Resort, LLC and a check payment in the amount of \$75.00.

Please return the copy with your file or received stamp in the enclosed envelope for our records. Thank you for your assistance. ✓

Sincerely,

**BARKER ROSHOLT & SIMPSON LLP**

Ailen Evaniuck  
Legal Assistant

Enc. a/s

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DEPARTMENT OF  
WATER RESOURCES

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**Instrument # 522866**

IDAHO COUNTY, IDAHO,

3-9-2020 12:53:22 PM No. of Pages: 3

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 15.00

Ex-Officio Recorder Deputy

**Recording Requested By  
And When Recorded Mail To:**

Barker Rosholt & Simpson LLP  
1010 W. Jefferson Street, Suite 102  
Boise, ID 83705  
Attn: Albert Barker

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### WARRANTY DEED

FOR VALUE RECEIVED, **Shepp Ranch, LLC**, an Idaho limited liability company ("Grantor") does hereby grant, bargain, sell and convey to **Shepp Ranch Resort, LLC**, an Idaho limited liability company, ("Grantee") whose mailing address is P.O. Box 11890, Bozeman, Montana 59719, all of Grantor's right, title, and interest in and to that certain real property located in Idaho County, Idaho, described herein below, together with all appurtenant water and water rights, expressly including water right number 77-10092 for irrigation and stockwater, 77-10093 for domestic use, and 77-10094 for power from storage and power storage, all ditches and ditch rights, and including but not limited to any ground water wells and well permits and rights, any surface water ditches and ditch permits and rights, and facilities of any kind related thereto, and any of Grantor's interests in the mineral rights appurtenant thereto (the "Property") described herein:

A portion of H.E.S. 733 located in sections 1 and 12, Township 24 North, Range 6 East of the Boise Meridian, Idaho County, Idaho, more specifically described as follows:

Block 2, Block 3, Lots 1, 2, 3, and 4 of Block 4, Lots 1, 2, 3, and 4 of Block 5, Lots 1, 2, 3, and 4 of Block 6, Lots 1, 2, 3 and 4 of Block 7, and Lots 1, 2, 3, and 4 of Block 8, all in Shepp Ranch Subdivision, as showing by the recorded plat thereof, recorded March 9, 1981, under instrument No. 289844, records of Idaho County, Idaho.

To have and to hold the described Property to Grantee, Grantee's heirs, and assigns forever, EXPRESSLY SUBJECT to those certain encumbrances listed on Exhibit A -Exceptions attached hereto (collectively, the "Permitted Exceptions"), and all rights, reservations, exceptions and easements of record.

Grantor, for Grantor's successors and assigns, hereby covenants with and to Grantee and Grantee's heirs and assigns that Grantor is lawfully seized in fee simple of the described Property; that Grantor has the right and authority to convey said Property to Grantee; that the described Property is free

WARRANTY DEED

**SCANNED**

**APR 13 2020**

from all encumbrances except those encumbrances listed on Exhibit A - Exceptions to this Warranty Deed attached hereto and except for general taxes and assessments for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same forever from all other lawful claims; that Grantor and Grantor's successors and assigns, and all persons acquiring any interest in the Property granted by, through, or for Grantor, on demand of Grantee or Grantee's heirs or assigns will execute any instrument necessary for the further assurance of the title to the Property that may be reasonably required,

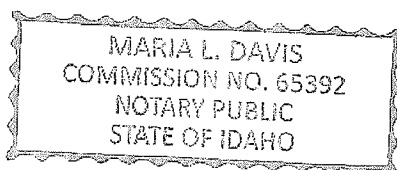
**Shepp Ranch, LLC**  
an Idaho limited liability company

Timothy H. Turnbull  
Timothy H. Turnbull, Manager

State of Idaho )  
 )ss.  
County of Idaho )

On this 9th day of March, 2020, before me, the undersigned notary public for said state, personally appeared Timothy H. Turnbull, Manager of Shepp Ranch, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



[Signature]  
Notary Public for the State of Idaho  
Residing at: Grangeville  
Comm. Expires: April 20, 2021



### **Exhibit A – Exceptions**

1. Matters as shown on Survey, recorded March 9, 1981, under Instrument No. 289844; Survey No. S-1580, recorded November 25, 1998, under Instrument No. 403357; Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403358; and Survey No. S-1635A, recorded April 30, 1999, under Instrument No. 405797, records of Idaho County, Idaho.
2. Restrictive Covenants, including the terms and provisions thereof, recorded December 9, 1983, under Instrument No. 310183, records of Idaho County, Idaho; Said Restrictive Covenants were partially released by Release and Conveyance recorded June 16, 1986, under Instrument No. 327500; said Restrictive Covenants were further released by Quitclaim Deed, recorded December 31, 1997, under Instrument No. 397710, all records of Idaho County, Idaho.
3. Lack of a right of access to and from the land.
4. Terms and provisions in Private Waterline Easement, by and between UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, Grantor and PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantee, recorded November 25, 1998, under Instrument No. 403357, records of Idaho County, Idaho, and shown by Record of Survey No. S-1580 recorded November 25, 1998, under Instrument No. 403358, records of Idaho County, Idaho.
5. Trail Easement, including the terms and provisions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantor and UNITED STATES OF AMERICA, Grantee, recorded November 25, 1998, under Instrument No. 403359, and re-recorded June 17, 1999, under Instrument No. 406608, records of Idaho County, Idaho, and as shown by Record of Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403360, records of Idaho County, Idaho.
6. National Wild and Scenic River System Easement Deed, including the terms and provisions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, as to an undivided 45% interest; and JAVELIN PARTNERSHIP, a California limited partnership, as to an undivided 55% interest, Grantor and UNITED STATES OF AMERICA Department of Agriculture, United States, recorded April 30, 1999, under Instrument No. 405798, records of Idaho County, Idaho.
7. Rights and easements in favor of the public for recreational uses of Crooked Creek.
8. Rights and easements in favor of the public for recreational uses of the Salmon River.
9. Any adverse claims based on the assertion that the location of the Salmon River has moved subsequent to its adoption as a title boundary.
10. Any claim arising from the difference in mean high water line of the Salmon River and the meander line as shown by Government Survey or the State of Idaho.



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 13, 2020

SHEPP RANCH RESORT, LLC  
PO BOX 11890  
BOZEMAN MT 59719-1890

Re: Change in Ownership for Water Right No(s): 77-10092, 77-10093, and 77-10094

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) 287-4803.

Sincerely,

Rosemary DeMond  
Administrative Assistant 2

Enclosure(s)

**SUPPORT DATA**  
**IN FILE #** 77-10092

**SCANNED**

**APR 13 2020**