

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 11 2012

Notice of Change in Water Right Ownership

DEPT. OF WATER RESOURCES  
SOUTHERN 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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| * See attached list * | 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"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Brackett Ranches Limited Partnership

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Grassy Hills, LLC, a Washington limited liability company

Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or  
c/o Greg Vik, P.O. Box 1607

Mailing address

Bellevue

WA

98009

City

State

ZIP

(425) 460-2542

gregv@pistolcreek.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: February 27, 2012

6. 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.

SUPPORT DATA

IN FILE # 47-2454

7. Signature:

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

DB

Date

4-11-2012

Receipt No.

5032481

Receipt Amt.

\$700 -

Approved by

Processed by

TF

Date

3-6-2013

SCANNED  
SEP 25 2018

**WATER RIGHT / CLAIM NO.**

47-2454 - *Disallowed*

47-7748 - *Disallowed*

47-12060

47-12065

47-12066

47-14844

47-17193

47-17194

47-17195

47-17196

47-17197

47-17198

47-17199

47-17200

47-17201

47-17202

47-17205

47-17206

51-130

51-131

51-134

51-135

51-2442

51-10193

51-10194

51-10195

51-10196

51-10348

*withdrawn*

As noted above: 14 of the 28 water rights were not processed or changed into the name of Grassy Hills LLC.

\$350.00 refund request has been submitted.

*Am 11-16-2018*

SCANNED  
SEP 25 2018

**TWIN FALLS COUNTY**  
RECORDED FOR:  
LAND TITLE AND ESCROW - TWIN  
04:11:36 PM 02-27-2012  
**2012003669**  
NO. PAGES 5 FEE: \$22.00  
**KRISTINA GLASCOCK**  
COUNTY CLERK  
**DEPUTY: BH**  
Electronically Recorded by Simplifile

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**GRANT DEED**  
**TWIN FALLS COUNTY**

FOR VALUABLE CONSIDERATION RECEIVED, **BRACKET RANCHES LIMITED PARTNERSHIP**, an Idaho limited partnership (hereinafter the "Grantor"), hereby grants, bargains, sells, and conveys unto **GRASSY HILLS LLC**, a Washington limited liability company, whose mailing address is c/o Gregory Vik, P.O. Box 1607, Bellevue, WA, 98009, (hereinafter the "Grantee"), its successors and assigns forever, the following described real estate located in Twin Falls County, Idaho (hereinafter the "Property"):

{This transfer is part of an IRC Section 1031 tax-deferred exchange.  
The following described real estate is the "Relinquished Property"}

(See **Exhibit "A"** attached hereto and by this reference made a part hereof)

TOGETHER WITH all and singular the improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, and

TOGETHER WITH all water rights and other entitlements to receive water for beneficial use on the real property purchased hereunder including, without limitation, all rights represented by any contract, decree, license, permit, permit application, claim or storage entitlement, and those water rights identified in the records of the Idaho Department of Water Resources ("IDWR") as set forth in **Exhibit "B"** attached hereto and hereby incorporated herein, all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights; provided, however, that all water rights and water delivery systems appurtenant to the Property are being transferred to the Grantee without warranty, as is where is; and

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**TWIN FALLS COUNTY**

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SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record, or by use upon the premises, and any exceptions to title set forth in the preliminary title report issued in conjunction with this transfer and that have not been removed by the date of closing.

IN WITNESS WHEREOF, this GRANT DEED has been duly executed by and on behalf of Grantor on the date set forth below.

BRACKETT RANCHES LIMITED PARTNERSHIP

DATE: 2-24-2012

By Noy Elbert Brackett III  
NOY ELBERT BRACKETT, III, General Partner

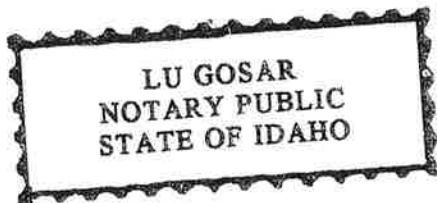
DATE: 2-24-2012

By Paula Ann Brackett  
PAULA ANN BRACKETT, General Partner

STATE OF IDAHO )  
COUNTY OF Twin Falls ) : ss.

On this 24<sup>th</sup> day of February, 2012, before me, the undersigned, a Notary Public for Idaho, personally appeared NOY ELBERT BRACKETT, III and PAULA ANN BRACKETT, known or identified to me to be the general partners of BRACKETT RANCHES LIMITED PARTNERSHIP, the partnership that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of said partnership.

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



Lu Gosar  
Notary Public for Idaho  
Commission Expires: 01/27/2014

## EXHIBIT "A"

TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,  
IDAHO

Section 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ SE $\frac{1}{4}$ ; W $\frac{1}{2}$ E $\frac{1}{2}$ , except the West 18.46 acres.

TOWNSHIP 12 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN TWIN FALLS COUNTY,  
IDAHO

Section 3: Parcel 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Parcel 2: An easement for ingress and egress twenty-five (25) feet in width over an existing unimproved road located along the southern boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Township 12 South, Range 13 E.B.M., Twin Falls County, Idaho

Section 9: SE $\frac{1}{4}$  and the E $\frac{1}{2}$ NE $\frac{1}{4}$

TOWNSHIP 12 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,  
IDAHO

Section 12: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 13: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$  except South 10 acres; S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 12 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,  
IDAHO

Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ ; S $\frac{1}{2}$  of section

Section 30: E $\frac{1}{2}$ NE $\frac{1}{4}$

-Continued-

## EXHIBIT "A"

TOWNSHIP 12 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY,  
IDAHO

Section 21: S $\frac{1}{2}$ SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$

Section 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: NE $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$

## EXHIBIT "B"

### WATER RIGHTS

|                                                                                                 |          |
|-------------------------------------------------------------------------------------------------|----------|
| 47-2450                                                                                         | 51-130   |
| 47-2454                                                                                         | 51-131   |
| 47-7748                                                                                         | 51-134   |
| 47-12060                                                                                        | 51-135   |
| 47-12065                                                                                        | 51-2442  |
| 47-12066                                                                                        | 51-10193 |
| 47-14844                                                                                        | 51-10194 |
| 47-17193                                                                                        | 51-10195 |
| 47-17194                                                                                        | 51-10196 |
| 47-17195                                                                                        | 51-10348 |
| 47-17196                                                                                        |          |
| 47-17197                                                                                        |          |
| 47-17198                                                                                        |          |
| 47-17199                                                                                        |          |
| 47-17200                                                                                        |          |
| 47-17201                                                                                        |          |
| 47-17202                                                                                        |          |
| 47-17205                                                                                        |          |
| 47-17206                                                                                        |          |
| 0.02 cfs of 47-14320 proposed to be<br>renumbered as 47-17502 per pending<br>Transfer No. 75397 |          |

Instrument # 276869  
MURPHY, OWYHEE, IDAHO  
2012-02-27 04:11:26 No. of Pages: 5  
Recorded for: LAND TITLE AND ESCROW - TWIN FA  
CHARLOTTE SHERBURN Fee: \$22.00  
Ex-Officio Recorder Deputy: map  
Index To: DEED  
Electronically Recorded by Simplifile

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**GRANT DEED**  
**OWYHEE COUNTY**

FOR VALUABLE CONSIDERATION RECEIVED, **BRACKET RANCHES LIMITED PARTNERSHIP**, an Idaho limited partnership (hereinafter the "Grantor"), hereby grants, bargains, sells, and conveys unto **GRASSY HILLS LLC**, a Washington limited liability company, whose mailing address is c/o Gregory Vik, P.O. Box 1607, Bellevue, WA, 98009, (hereinafter the "Grantee"), its successors and assigns forever, the following described real estate located in Owyhee County, Idaho (hereinafter the "Property"):

{This transfer is part of an IRC Section 1031 tax-deferred exchange.  
The following described real estate is the "Relinquished Property"}

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TOGETHER WITH all and singular the improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, and

TOGETHER WITH all water rights and other entitlements to receive water for beneficial use on the real property purchased hereunder including, without limitation, all rights represented by any contract, decree, license, permit, permit application, claim or storage entitlement, and those water rights identified in the records of the Idaho Department of Water Resources ("IDWR") as set forth in **Exhibit "B"** attached hereto and hereby incorporated herein, all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights; provided, however, that all water rights and water delivery systems appurtenant to the Property are being transferred to the Grantee without warranty, as is where is; and

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**OWYHEE COUNTY**

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BRACKETT RANCHES LIMITED PARTNERSHIP

DATE: 2-24-2012

By Noy Elbert Brackett III  
NOY ELBERT BRACKETT, III, General Partner

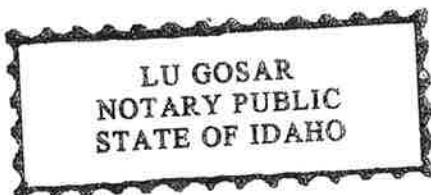
DATE: 2-24-2012

By Paula Ann Brackett  
PAULA ANN BRACKETT, General Partner

STATE OF IDAHO )  
 )  
 ) ss.  
COUNTY OF Twin Falls )

On this 24<sup>th</sup> day of February, 2012, before me, the undersigned, a Notary Public for Idaho, personally appeared NOY ELBERT BRACKETT, III and PAULA ANN BRACKETT, known or identified to me to be the general partners of BRACKETT RANCHES LIMITED PARTNERSHIP, the partnership that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of said partnership.

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



[Signature]  
Notary Public for Idaho  
Commission Expires: 6/17/2014

## EXHIBIT "A"

### PARCEL NO. 1:

TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE BOISE MERIDIAN, OWYHEE COUNTY,  
IDAHO

- Section 2: S $\frac{1}{2}$
- Section 3: Government Lots 3 and 4; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$
- Section 4: Government Lots 1, 2, 3, 4, 5, 6 and 7; SE $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 5: Government Lots 3 and 4; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$
- Section 6: Government Lots 3, 5, 6 and 7; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 8: E $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 10: All
- Section 11: S $\frac{1}{2}$
- Section 15: All
- Section 17: S $\frac{1}{2}$ S $\frac{1}{2}$
- Section 20: NE $\frac{1}{4}$ ; N $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 21: Government Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$
- Section 22: N $\frac{1}{2}$
- Section 28: Government Lots 1, 2, 3 and 4; E $\frac{1}{2}$ W $\frac{1}{2}$ ; E $\frac{1}{2}$
- Section 29: W $\frac{1}{2}$

### PARCEL NO. 2:

TOWNSHIP 15 SOUTH, RANGE 11 EAST OF THE BOISE MERIDIAN, OWYHEE COUNTY,  
IDAHO

- Section 2: SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$

## EXHIBIT "A"

### PARCEL NO. 3:

TOWNSHIP 15 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, OWYHEE COUNTY,  
IDAHO

Section 20: S½SE¼

Section 28: W½NW¼; W½SW¼

Section 29: E½NE¼; E½SW¼NE¼; W½SW¼, EXCEPTING LESS the following described parcel:

A strip of land 60 feet wide, 30 feet on either side of the centerline of a centerline survey, said centerline being situate and running as follows:

Beginning at the Southwest corner of the SW¼NW¼, Section 29, Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho;

Thence South 0°04' West a distance of 281.46 feet, to a point being station 236+37.86 of said center line survey, and said point being the REAL POINT OF BEGINNING;

Thence North 69°10' East a distance of 646.17 feet to a point being station 242+84.03 of said center line survey, the point of commencement of a 14° curve having a delta angle of 57°28' to the left;

Thence around said curve for a distance of 101.82 feet to a point being station 243+85.85 of said center line survey.

Section 30: SE¼SE¼

Section 31: NE¼NE¼

Section 32: NW¼; E½SW¼; SW¼SE¼

Section 33: W½NW¼; W½SW¼

### PARCEL NO. 4:

TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE BOISE MERIDIAN, OWYHEE COUNTY,  
IDAHO

Section 4: NW¼NW¼; SE¼NW¼; E½SW¼; SW¼SE¼

Section 5: N½NE¼; SE¼NE¼

Section 9: E½NW¼; NE¼SW¼; W½SE¼

Section 15: W½, all that portion of the E½ lying within Owyhee County (also being described as the West 18.46 acres of the East half)

## **EXHIBIT "B"**

### **WATER RIGHTS**

|          |          |
|----------|----------|
| 47-2450  | 51-130   |
| 47-2454  | 51-131   |
| 47-7748  | 51-134   |
| 47-12060 | 51-135   |
| 47-12065 | 51-2442  |
| 47-12066 | 51-10193 |
| 47-14844 | 51-10194 |
| 47-17193 | 51-10195 |
| 47-17194 | 51-10196 |
| 47-17195 | 51-10348 |
| 47-17196 |          |
| 47-17197 |          |
| 47-17198 |          |
| 47-17199 |          |
| 47-17200 |          |
| 47-17201 |          |
| 47-17202 |          |
| 47-17205 |          |
| 47-17206 |          |

0.02 cfs of 47-14320 proposed to be  
renumbered as 47-17502 per pending  
Transfer No. 75397



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region • 1341 Fillmore St, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 6, 2013

GRASSY HILLS LLC  
C/O GREGORY VIK  
PO BOX 1607  
BELLEVUE WA 98009

RE: Change of Ownership for Water Right Nos. 47-12060, 47-12065, 47-12066, 47-14844, 51-130, 51-131, 51-134, 51-135, 51-2442, 51-10193, 51-10194, 51-10195, 51-10196, 51-10348

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records. Please note water rights 47-2454 and 47-7748 were decreed as disallowed by the SRBA court, and water rights 47-17193 through 47-17206 were all withdrawn by Mr. Brackett; consequently, the ownership on these water rights was not updated.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett  
Technical Records Specialist

Enclosure(s)

Cc: James P. Speck, Speck & Aanestad

**SPECK & AANESTAD**  
A PROFESSIONAL CORPORATION  
**ATTORNEYS**

JAMES P. SPECK  
jim@speckandaanestad.com  
DOUGLAS J. AANESTAD  
doug@speckandaanestad.com

120 EAST AVENUE  
POST OFFICE BOX 987  
KETCHUM, IDAHO 83340

TELEPHONE  
(208) 726-4421  
FACSIMILE  
(208) 726-0752

April 9, 2012

Mr. Allen Merritt  
Idaho Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED  
APR 11 2012  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**Re: Grassy Hills LLC – Brackett Ranches Limited Partnership**

Dear Allen:

I represent Grassy Hills LLC which recently purchased a large ranch property from Brackett Ranches Limited Partnership together with the appurtenant water rights. Enclosed you will find the original and a copy of the Notice of Change in Water Right Ownership for all but one of the appurtenant water rights. The ownership change for the remaining water right requires some additional documentation and will be filed as soon as that is obtained. I have also enclosed the original and one copy of an Assignment of Application for Transfer No. 76213, the subject of which is Water Right No. 47-12060, one of the water rights included in the Notice of Change in Water Right Ownership.

I have enclosed our firm's check in the amount of \$700.00 (\$25 x 28 water rights) for the required filing fees for the Notice of Change in Water Right Ownership.

Please receipt date stamp the copies and return them to me in the postage-prepaid self-addressed envelope I have included for that purpose. Kindly call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By:   
James P. Speck

Enclosures

CC w/ Encl: Greg Vik  
Rod Gonsales