

RECEIVED
SEP 14 2018
WATER RESOURCES
WESTERN REGION

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
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?
Dec { 05-1878	Yes ☐	Yes ☐		Yes ☐	Yes ☐
05-1879	Yes ☐	Yes ☐		Yes ☐	Yes ☐
05-1883	Yes ☐	Yes ☐		Yes ☐	Yes ☐
05-1914	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Sawyer-Smith LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Ranch at Cherry Gulch
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- X Mailing address _____ City _____ State _____ ZIP _____
- X 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: 7-31-18
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.
8. Signature: [Signature] Title, if applicable: PRES. Date: _____
Signature: [Signature] Title, if applicable: VICE PRES. Date: _____

For IDWR Office Use Only:

Received by AK Date 9/14/2018 Receipt No. W046752 Receipt Amt. 100.00
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 NK Approved by AK Processed by AK Date 9/17/2018



Pioneer Title Co.
GOING BEYOND

1500 S. Washington Ave., Ste. B
Emmett, ID 83617

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 655119 /JW

Instrument # 317734

EMMETT, GEM, IDAHO
2018-08-31 12:44:08 PM No. of Pages: 5
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy CMecham
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received **Sawyer-Smith, LLC, an Idaho limited liability company**
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

The Ranch at Cherry Gulch, Inc., an Idaho Corporation

hereinafter referred to as Grantee, whose current address is 3800 East Black Canyon Highway Emmett,
ID 83617

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 17, 2018

Sawyer-Smith, LLC, an Idaho limited liability company

By: _____
Jon C Sawyer, Manager

Kimberly C Sawyer, Manger

Richard D Smith
Richard D Smith, Manager signed in counterpart

Holly B. Smith
Holly B Smith, Manager signed in counterpart



PioneerTitleCo.
GOING BEYOND

1500 S. Washington Ave., Ste. B
Emmett, ID 83617

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 655119 /JW

WARRANTY DEED

For Value Received Sawyer-Smith, LLC, an Idaho limited liability company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

The Ranch at Cherry Gulch, Inc., an Idaho Corporation

hereinafter referred to as Grantee, whose current address is 3800 East Black Canyon Highway Emmett,
ID 83617

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations; restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

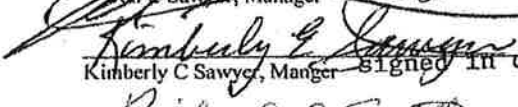
Dated: July 17, 2018

Sawyer-Smith, LLC, an Idaho limited liability company

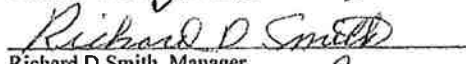
By:

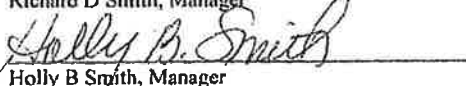

John C. Sawyer, Manager

signed in counterpart


Kimberly C Sawyer, Manager

signed in counterpart


Richard D Smith, Manager


Holly B Smith, Manager

State of MI County of Saginaw

This record was acknowledged before me on July 26 2018 by Jon Sawyer, as Manger of Sawyer-Smith LLC.

Jean Bixby
Signature of notary public
Commission Expires: 11-18-18

JEAN BIXBY
Notary Public, State of Michigan
County of Saginaw
My Commission Expires Nov. 18, 2018
Acting In the County of Saginaw

State of MI County of Saginaw

This record was acknowledged before me on July 26 2018 by Kimberly Sawyer, as Manger of Sawyer-Smith LLC.

Jean Bixby
Signature of notary public
Commission Expires: 11-18-18

JEAN BIXBY
Notary Public, State of Michigan
County of Saginaw
My Commission Expires Nov. 18, 2018
Acting In the County of Saginaw

State of MI County of Saginaw

This record was acknowledged before me on July 17 2018 by Dick Smith, as Manger of Sawyer-Smith LLC.

Randall
Signature of notary public
Commission Expires:

State of MI County of Saginaw

This record was acknowledged before me on July 17 2018 by Holly Smith, as Manger of Sawyer-Smith LLC.

Randall
Signature of notary public
Commission Expires:

State of ___, County of ___

This record was acknowledged before me on July ___ 2018 by Jon Sawyer, as Manger of Sawyer-Smith LLC.

Signature of notary public
Commission Expires:

State of ___, County of ___

This record was acknowledged before me on July ___ 2018 by Kimberly Sawyer, as Manger of Sawyer-Smith LLC.

Signature of notary public
Commission Expires:

State of ID, County of Gum

This record was acknowledged before me on July 17 2018 by Dick Smith, as Manger of Sawyer-Smith LLC.

Signature of notary public Amber Randall
Residing in Emmett, Idaho
Commission expires: February 27, 2021
My commission expires: February 27, 2021
State of ID, County of Gum



This record was acknowledged before me on July 17 2018 by Holly Smith, as Manger of Sawyer-Smith LLC.

Signature of notary public Amber Randall
Residing in Emmett, Idaho
Commission expires: February 27, 2021
My commission expires: February 27, 2021



EXHIBIT A

The Northeast 1/4 of the Southwest 1/4 and that portion Southeast 1/4 of the Southwest 1/4 of Section 15, Township 7 North, Range 1 West, Boise-Meridian, Gem County, Idaho, described as follows:

Beginning at the northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 15, Township 7 North, Range 1 West, Boise-Meridian;

Thence South 00°07'15" West, 1193.44 feet to the southwest corner of said Northeast 1/4 of the Southwest 1/4;

Thence North 88°49'48" East, 359.93 feet, along the north line of the Southeast 1/4 of the Southwest 1/4 of said Section 15, to a point on the centerline of an existing road said point being on the arc of a non-tangent 50.00 foot radius curve to the left, a radial bearing from said point bears South 59°50'29" East;

Thence southwesterly along the arc of said centerline curve through a central angle of 19°15'04" a distance of 16.80 feet;

Thence tangent to said curve South 10°54'28" West, 231.78 feet, along said centerline, to the beginning of a tangent 65.00 foot radius curve to the left;

Thence southeasterly along the arc of said curve and said centerline through a central angle of 46°42'33" a distance of 52.99 feet;

Thence tangent to said curve South 35°48'05" East, 11.47 feet to a point on the south line North 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 15;

Thence North 89°30'21" East, 339.93 feet, along said south line, to the southeast corner thereof; Thence South 00°17'42" West, 306.27 feet to the southwest corner of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 15;

Thence South 89°48'57" East, 333.78 feet to the northwest corner of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 15;

Thence South 00°22'43" West, 620.46 feet to the southwest corner of said East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4;

Thence South 88°27'15" East, 332.95 feet to the southeast corner of said East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4;

Thence North 00°27'36" East, 2513.50 feet, along the east line of said East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 and the east line of the Northeast 1/4 of the Southwest 1/4 of said Section 15 to the northeast corner thereof;

Thence South 86°08'59" West, 1349.51 feet, along the north line of said Northeast 1/4 of the Southwest 1/4, to the point of Beginning.

Together with and subject to easements shown in Instrument No.'s 256971 & 256972, records of Gem County, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 17, 2018

THE RANCH AT CHERRY GULCH INC
3800 EAST BLACK CANYON HIGHWAY
EMMETT ID 83617

RE: Notice of Ownership Change in Water Right No. 65-1878

Dear Water Right Holders:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

However, Water Right No's. 65-1879, 65-1883, and 65-1914 have not been modified. These rights are for stock water and irrigation purposes with a place of use outside the legal description on the provided deed. A refund of \$75 will be sent to the payer (Pioneer Title Co.) under separate cover.

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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions, please contact this office at 208-334-2190.
Sincerely,

Anna Kaiser
Office Specialist II
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Monday, September 17, 2018 10:44 AM
To: Marston, Sascha
Subject: Refund - PIONEER TITLE CO

TO: Sascha Marston

FROM: Anna Kaiser

DATE: September 17, 2018

RE: Refund: Ownership Change 65-1878, 65-1879, 65-1883, 65-1914

Please refund \$75. WR 65-1878, 65-1879, 65-1883, and 65-1914 were submitted for ownership change on September 14th, 2018 with a \$100.00 payment (\$25.00 per water right). Only WR 65-1878 could be processed.

Please issue a refund of \$75 to:

PIONEER TITLE CO
1500 S WASHINGTON AVE STE B
EMMETT ID 83617

RECEIPT #

W046752

Thank you,

Anna

Anna Kaiser | Office Specialist II

IDWR-Western Region

2735 W Airport Way, Boise ID 83705

(208).334.2190 | anna.kaiser@idwr.idaho.gov