

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 20 2018
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. 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?
37-577CG	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-657E	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22594	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cottonwood Creek Homeowners Association, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Cottonwood Creek Association
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 601 Carlson Parkway, Suite 1125 Minnetonka MN 55305
Mailing address City State ZIP
- 952-847-2450 ralbright@asallc.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: 05/14/2009
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

IN FILE # 37-577CG

8. Signature: [Signature] Manager 8/15/18
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Manager 8.2.18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Am Date 8-20-2018 Receipt No. 5036914 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 _____ Date _____

Instrument # 653986

HAILEY, BLAINE, IDAHO
08-09-2018 10:23:06 AM No. of Pages: 1
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

Water Rights Deed

Cottonwood Creek Homeowners Association, Inc., an Idaho non-profit corporation, Owner, referred to as OWNER or GRANTOR, hereby grants, bargains, conveys and warrants to

Cottonwood Creek Association, an Idaho unincorporated non-profit

Grantee, whose address is 14 Cottonwood Creek Circle, Hailey, ID 83340, GRANTEE, GRANTEE's heirs and assigns, the perpetual right to the following water rights:

WR 37-22294

WR 37-577CG

WR 37-657E

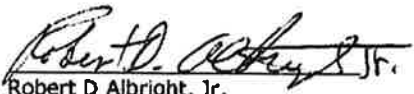
as well as the right of ingress and egress through the shortest route possible appurtenant to the right of the use of water. GRANTOR does hereby covenant to and with the said GRANTEE, that it is the owner of said water rights, that said water rights are free from all encumbrances and that the GRANTOR will warrant and defend the same from all lawful claims whatsoever.

GRANTEE may only assign these rights to any entity which purchases the following real property from GRANTEE:

- 1) Community well and water system situated in the Cottonwood Creek subdivision, Blaine County, Idaho
- 2) Private roads, easements, rights of way, previously described as Cottonwood Drive and Beaver Lane and currently described as Cottonwood Creek Circle and Osprey lane as set forth on the plat for Cottonwood Creek Subdivision, Blaine County, Idaho.

This deed grants water rights only and no other rights.

Dated this 30th day of July, 2018.



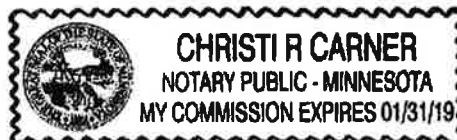
Robert D. Albright, Jr.
Secretary, Cottonwood Creek Homeowners Association

State of Minnesota
County of Hennepin

On this 30th day of July, 2018 before me, the undersigned, a Notary Public, in and for said State, personally appeared Robert D. Albright Jr., 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 Hennepin Co MN
My Commission expires 1/31/19





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 20, 2018

COTTONWOOD CREEK ASSOCIATION
601 CARLSON PKWY STE 1125
MINNETONKA MN 55305-5239

Re: Change in Ownership for Water Right No(s): 37-577CG, 37-657E and 37-22594

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) 736-3033.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

RECEIVED
AUG 20 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Cottonwood Creek Assn
601 Carlson Parkway
Suite 1125
Minnetonka, MN 55305
952-847-2450
August 15, 2018

Idaho Department of Natural Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Change of Water Right Ownership

Gentlemen:

Enclosed you will find the 'Notice of Change in Water Right Ownership' form along with the Water Rights Deed transferring ownership of the three water rights currently owned by the Cottonwood Creek Homeowners Association, Inc. (37-577CG, 37-657E, and 37-22594) to its successor entity, the Cottonwood Creek Association. My understanding from the form and from our engineering and legal counsel is that this will suffice to effect the transfer. However, if that is not the case, please contact me promptly to let me know what additional information you need. If this is sufficient, I'll look forward to getting the new water rights certificates at your earliest convenience.

Thanks in advance for your attention to this request.

Best regards,



Rob Albright
Secretary, Cottonwood Creek Homeowners Association, Inc.
Manager, Cottonwood Creek Association