

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

SEP 26 2017

DEPT OF WATER RESOURCES
SOUTHERN 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?
37-7636 B	Yes ☐	Yes ☒		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kevin Swigart
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): BENNETT MOUNTAIN RANCH + FARM LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1216 South LAKE POINTE Way Eagle ID 83616
Mailing address City State ZIP
- 208-841-6006 rdburn@cableone.net
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: 17th August 2017
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.
8. Signature: Joshua D Burn Owner Bennett Mtns Ranch 9/26/17
Signature of new owner/claimant Title, if applicable Date
- Signature: Mona J Burn owner 9.26.17
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by TF Date 9.26.2017 Receipt No. 5036383 Receipt Amt. \$25

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 # 453973 # Pages: 65
ELMORE COUNTY, Idaho
Jun 13, 2016 10:57:31 am Fee: \$ 13.00
For: MCANANEY & ASSOCIATES
BARBARA STEELE, Recorder
DELLIS, Deputy

WHEN RECORDED

RETURN TO:

McAnaney & Associates, PLLC
1101 W. River Street, Suite 100
Boise, Idaho 83702

SEND TAX NOTICES TO:

Bennett Mountain Ranch & Farm, LLC
1216 S. Lake Pointe Way
Eagle, Idaho 83616

QUITCLAIM DEED

GRANTORS, **Randall Burr and Mona Burr**, husband and wife, do hereby REMISE, RELEASE and forever QUITCLAIM, unto **Bennett Mountain Ranch & Farm, LLC**, an Idaho limited liability company, whose current address is **1216 S. Lake Pointe Way, Eagle, Idaho 83616**, as GRANTEE and to Grantee's successors and assigns, all of Grantors' right, title and interest in and to the real property situated in Elmore County, Idaho, more particularly described as follows:

LEGAL DESCRIPTION: Real property in the County of Elmore, State of Idaho, described as follows:

Township 2 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 14: Northwest 1/4 Northeast 1/4

TOGETHER with all tenements, hereditaments and appurtenances there unto belonging.

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

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 8th day of June, 2016.



Randall Burr



Mona Burr

QUITCLAIM DEED - I

M:\Clients\Burr, Randall, M.D. - 0501705017.016 - Bennett Mountain Ranch & Farm, LLC\Drafts\QCD (Elmore County Property to LLC) - FINAL.doc

DEED TO A WATER RIGHT AND ASSIGNMENT

FOR VALUE RECEIVED, Grantors KEVIN AND JENNIFER SWIGERT hereby grant, bargain, sell, and convey unto Grantee, BENNETT MOUNTAIN RANCH & FARM, LLC, an Idaho limited liability company, all of Grantor's right, title, and interest in and to the following:

Idaho Water Right No. 37-07636B

Grantors hereby further conveys and assigns to Grantee all of Grantors' right, title, and interest in and to the Water Right, together with all of Grantors' right, title, and interest in and to any interest in the June 10, 2016 Water Supply Bank Lease Contract between Grantors and the Idaho Water Resources Board.

Grantor hereby covenants to Grantee that Grantor has ceased to divert and use the Water Right and that Grantor has not conveyed, mortgaged, or pledged the Water Right to any other person or entity. Grantor makes no other guarantees or warranties as to the Water Right, its transferability, or its yield upon transfer, change, exchange, or use in a mitigation plan.

[End of Text]

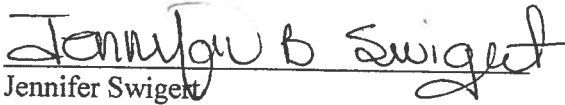
TO HAVE AND TO HOLD the Water Right unto Grantee, his successors and assigns, forever.

IN WITNESS WHEREOF, Grantors have caused their names to be subscribed to this Deed to a Water Right effective this 18 day of April 2017.

GRANTORS:

KEVIN AND JENNIFER SWIGERT


Kevin Swigert


Jennifer Swigert

STATE OF IDAHO)
) ss.
County of Camas)

On this 18th day of April 2017, before me, a Notary Public in and for the State of Idaho, personally appeared Kevin Swigert, known or identified to me to be the person who executed the above Deed to a Water Right and Assignment 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.



Notary Public for Idaho Tracy D. Gill

Residing at: Fairfield

My commission expires: 5-6-2022

STATE OF IDAHO)
) ss.
County of Camas)

On this 18th day of April 2017, before me, a Notary Public in and for the State of Idaho, personally appeared Jennifer Swigert, known or identified to me to be the person who executed the above Deed to a Water Right and Assignment and acknowledged to me that she executed the same.

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



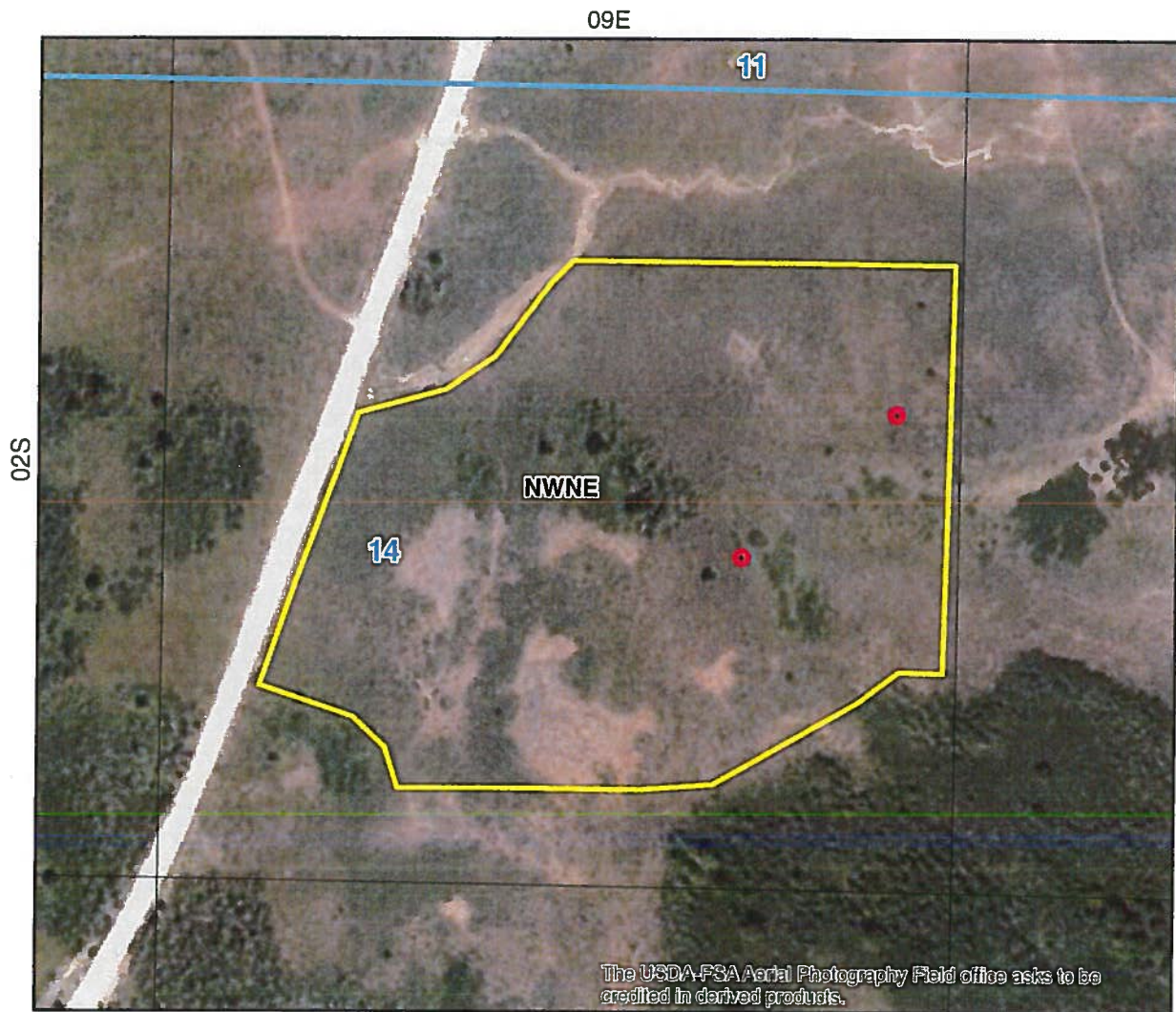
Notary Public for Idaho Tracy D. Gill

Residing at: Fairfield

My commission expires: 5-6-2022

State of Idaho
Department of Water Resources
Attachment to Transfer # 81689
37-7636B

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 27, 2017

BENNETT MOUNTAIN RANCH & FARM LLC
1216 S LAKE POINTE WAY
EAGLE, ID 83616

RE: Change of Ownership for Water Right No. 37-7636B.

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.

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Benny Walker".

Benny Walker
Senior Water Right Agent

Enclosure(s)