

RECEIVED

JUL 17 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
72-7282	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Cathy & Ted Roberts
Name of current water right holder/claimant D
3. New Owner(s)/Claimant(s): Cynthia & Kevin Braden
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 21835 Highway 75 Clayton ID 83227
Mailing address City State ZIP
- 406 821-1230 Cynthia.bradsen@gmail.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: April 4, 2016
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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.

8. Signature: Cynthia A. Braden June 14, 2017
Signature of new owner/claimant Title, if applicable Date

Signature: Kevin Braden June 14, 2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 8-3-2017 Receipt No. 5036263 Receipt Amt. \$25-

251676

SPECIAL WARRANTY DEED

File No: 121-240840
 Secretary of Housing and Urban Development
 34 Civic Center Plaza
 Santa Ana, CA 92701

 Custer County Reg. of
Custer County 7. H.
 Time 3:50 P M Date 4/5/2016
 Lura H. Baker, Clerk
Rick P. [unclear] \$13.00
 Deputy

THIS INDENTURE, made and entered into this 4 day of April 2016, by and between Secretary of Housing and Urban Development, of Washington, D.C., also known as the United States Department of Housing and Urban Development, its Successors and/or Assigns, "Grantor" and KEVIN D. BRADEN AND CYNTHIA S. BRADEN, whose address is 6735 W Fork Rd., Darby, MT 59829-9654, their heirs and assigns, "Grantees";

WITNESSETH that the said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and Other Good and Valuable Considerations in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto the said Grantees forever the following described real estate, in Custer County, State of Idaho:

SEE ATTACHED EXHIBIT A

Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 U.S.C. 1701 et. seq.) And the Department of Housing and Urban Development Act (42 U.S.C. 3531 et. seq.).

And, the said Grantor, for himself and his successors hereby covenants and specially warrants to and with the said Grantees, heirs and assigns, that previous to the time of execution of this conveyance, the said Grantor has not conveyed the same estate, or any right, title of interests therein, to any person other than the Grantees and that at the time of execution of this conveyance the said premises are free from encumbrances done, made or suffered by the Grantor, or any person claiming by, through or under him.

AND, The Secretary of Housing and Urban Development (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him.

Subject to All covenants, restrictions, easements, conditions and rights appearing of record; subject to taxes for the year 2014 and thereafter; and Subject to any state of facts an accurate survey would show.

In Witness Whereof the undersigned being specifically named pursuant to the delegation of authority published at 70 Federal Register 43, 171 (July 26, 2005) as an authorized agent, has set his/her hand as a principal and/or officer of Matt Martin Real Estate management, Management and Marketing Contractor of the US Department of Housing and Urban Development, for and on behalf of the Secretary of Housing and Urban Development.

The Secretary of Housing and Urban Development, its Successors and assigns, By Matt Martin Real Estate Management.

Susan Long
 By: Susan Long its:

STATE OF Pa
 COUNTY OF Montgomery) SS.

Seen to and subscribed before me by Susan Long
 (title) of Matt Martin Real Estate Management,
 Management and Marketing Contractor of the US Department of Housing and Urban Development,
 for and on behalf of the Secretary of Housing and Urban Development, and being specifically
 signed pursuant to the delegation of authority published at 70 Federal Register 43, 171 (July 26,
 2005) as an authorized agent, on the 4 day of April, 2016.

COMMONWEALTH OF PENNSYLVANIA
 NOTARIAL SEAL
 Bridget Lumio, Notary Public
 Upper Dublin Twp., Montgomery County
 My Commission Expires March 23, 2020
 MEMBER PENNSYLVANIA ASSOCIATION OF NOTARIES

Bridget Lumio
 Notary Public
 My Commissions Expires: _____

EXHIBIT A

TOWNSHIP 11 NORTH, RANGE 17 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 28: A fraction of the NW¼SW¼ described as:

Commencing at the W¼ corner of Section 28; thence North 89°58' East, 579.8 feet to a point on the Southerly right of way of U.S. Highway No. 93; thence Southeasterly along said right-of-way line 82.9 feet to the Point of Beginning; continuing thence Southeasterly along said right-of-way line 617.7 feet; thence South 59°36' West, 380 feet; thence North 23°30' West, 500 feet more or less to the Point of Beginning.

AND

A parcel of land commencing at the W¼ corner of Section 28 a distance of 560.56 feet on a bearing of North 89°58' East, to the South right-of-way of U.S. Highway 93; thence South 70°05'37" East, 60.08 feet along said right-of-way; thence South 44°05'47" East, 21.75 feet; thence South 24°47'05" East, 500.80 feet to the REAL POINT OF BEGINNING;

From this REAL POINT OF BEGINNING a distance of North 64°04'31" East 393.00 feet to the South right-of-way of U.S. Highway 93; thence South 55°21'36" East, 112.30 feet along said right-of-way; thence South 62°34'31" West, 475.00 feet; thence North 12°19'54" West, 113.41 feet to the REAL POINT OF BEGINNING.

AND

A parcel of land commencing at the Southeast corner of the land described above which point is on the South right-of-way of State Highway No. 75, the Point of Beginning; thence Southeasterly along the said South right-of-way of State Highway No. 75, 75 feet; thence Southwesterly 475 feet on a line parallel to the South boundary of the above tract; thence Northerly 75 feet more or less, to the Southwest corner of said tract; thence Northeasterly 475 feet more or less along the South boundary of the above tract to the POINT OF BEGINNING.



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

August 4, 2017

KEVIN BRADEN
CYNTHIA BRADEN
21835 HWY 75
CLAYTON ID 83227

RE: Change of Ownership for Water Right Nos. 72-7282

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,

Trish Fawcett
Technical Records Specialist

Enclosure(s)



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 20, 2017

KEVIN BRADEN
CYNTHIA BRADEN
21835 HWY 75
CLAYTON ID 83227

Re: Change in Water Right Ownership for Water Right 72-7282

Dear Mr. and Mrs. Braden:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Filing Fee** of \$25 per water right

 Evidence of Water Right Ownership: copy of your Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper fee, we will hold any action on your notice pending receipt of the necessary fee. If we do not receive the necessary fee within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water rights ownership and/or mailing address to the Department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist