

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 23 2017

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?
57-4002	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: James Hayhurst
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brckett Ranches Limited Partnership
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5331 Old Sullivan Lane Homedale ID 83628
Mailing address City State ZIP
- _____
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 20, 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):
 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: _____ Date: _____
 Signature of new owner/claimant General Partner (~16-17)
- Signature: [Signature] Title, if applicable: _____ Date: _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by VL Date 6/23/17 Receipt No. C103757 Receipt Amt. 50

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 Cem Date 6/27/17

ACCOMMODATION *Ameritelle*

RECORDING W-*000911* *70*

104412

RECORDING INFORMATION:

Until a change is requested, all tax statements shall be sent to:

Alvan Lowry, et al
PO Box 823
Crane OR 97732

After recording return to:

Alvan Lowry, et al
PO Box 823
Crane OR 97732

Instrument # 239539

MURPHY, OWYHEE, IDAHO

2002-05-07

04:49:39 No. of Pages: 2

Recorded for: PIONEER TITLE COMPANY

CYNTHIA A. EATON

Fee: 6.00

Ex-Officio Recorder Deputy *C. Sherrin*

Index to: DEED, WARRANTY

WARRANTY DEED

GRANTORS, JAMES V. HAYHURST and ~~LOUISE HAYHURST~~, HC 87, Box 150, Pine, Idaho 83647, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto ALVAN LOWRY, a single man, and SUSAN OPIE, a single woman, Jordan Valley, Oregon 97910, each as to an undivided one-half interest, as Tenants in Common, as GRANTEES, and to Grantees' heirs and assigns forever, all of the following described real property located in Boise Meridian, County of Owyhee, Idaho:

In Township 3 South, Range 6 West, Boise Meridian, Owyhee County, Idaho:
Section 14: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPTING THEREFROM:

"The balance of said mineral rights and the rights for exploration, development or extraction", as reserved and excepted in the Deed from CHARLES E. MAYER, JR., also known as CHARLES E. MAYER, and recorded May 16, 1994, as Instrument No. 212825, Owyhee County Records."

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

This is an IRC 1031 transaction.

Subject to:

1. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
3. Assertion of Right by BALTZER CATTLE COMPANY, recorded July 13, 1995, as Instrument No. 216156, Owyhee County Records.
4. Lack of a right of access to and from said land.

WARRANTY DEED - Page 1 of 2

Prepared by Yturri Rose LLP, PO Box "S" Ontario OR 97914

210002d1\53020m

Instrument # 240191

MURPHY, OWYHEE, IDAHO

2002-07-10

04:52:42 No. of Pages: 3

Recorded for: PIONEER TITLE

CYNTHIA A. EATON

Fee: 9.00

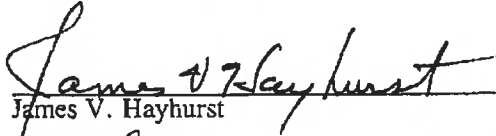
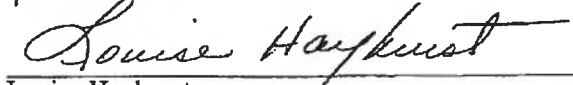
Ex-Officio Recorder Deputy *C. Sherrin*

Index to: DEED, WARRANTY

Grantor, for themselves, their heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said Premises by the Grantee, their heirs and assigns forever against the lawful claims of all persons.

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 name to this instrument this 29th day of April, 2002.

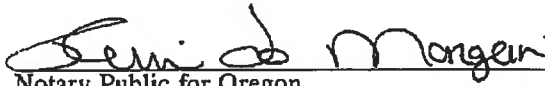

James V. Hayhurst

Louise Hayhurst

State of Oregon)
) ss
County of Harney)

On this 29th day of April, 2002, before me the undersigned, a Notary Public for Oregon, personally appeared James V. Hayhurst and Louise Hayhurst, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they 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 Oregon
My commission expires: 12-19-02

STATE OF OREGON)
) ss
COUNTY OF MALHEUR)

On June 28th, 2002, before me the undersigned, a Notary Public for Oregon,
personally appeared JAMES V. HAYHURST, known to me to be the person whose name
is subscribed to the within instrument, and acknowledged that he executed the same (the
change in vesting).

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

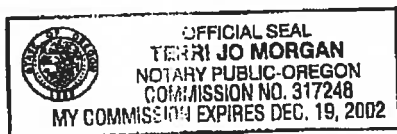


Terri Jo Morgan
Notary Public for Oregon
My commission expires: 12-19-02

STATE OF OREGON)
) ss
COUNTY OF MALHEUR)

On June 28th, 2002, before me the undersigned, a Notary Public for Oregon,
personally appeared LOUISE HAYHURST, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged that she executed the same (the
change in vesting).

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



Terri Jo Morgan
Notary Public for Oregon
My commission expires: 12-19-02

ACCOMMODATION Amended
RECORDING W-220963 PD

Instrument # 240192

MURPHY, OWYHEE, IDAHO

2002-07-10

04:53:51 No. of Pages: 1

Recorded for: PIONEER TITLE

CYNTHIA A. EATON

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Fee: 3.00

QUITCLAIM DEED

LOUISE HAYHURST, a married woman and wife of James V. Hayhurst, hereby conveys, releases, remises and forever quit claims unto ALVAN LOWRY, a single man, and SUSAN OPIE, a single woman, each as to an undivided one-half interest, as Tenants in Common, whose address is PO Box 823, Crane, OR 97732, the following premises, to wit:

Real property located in BOISE MERIDIAN, COUNTY OF OWYHEE, IDAHO:

In Township 3 South, Range 6 West, Boise Meridian, Owyhee County, Idaho

Section 14: Lots 1 and 2, SE1/4NW1/4, NE1/4SW1/4

EXCEPTING THEREFROM:

"The balance of said mineral rights and the rights for exploration, development or extraction" as reserved and excepted in the Deed from CHARLES E. MAYER, JR., also known as CHARLES E. MAYER, and recorded May 16, 1994, as Instrument No. 212825, Owyhee County Records."

Together with any and all hereinafter acquired interest.

Dated: June 28th, 2002

Louise Hayhurst
LOUISE HAYHURST

STATE OF OREGON

COUNTY OF Multnomah ss
[Signature]

On this 28th day of June, 2002, before me, Terrill Jo Morgan
a Notary Public in and for said State, personally appeared LOUISE HAYHURST, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Terrill Jo Morgan
Notary Public for OREGON
Residing at: Burns, OR
Commission Expires: 12-19-02

P06396

RECORDING INFORMATION:

Until a change is requested, all tax statements shall be sent to:
Timothy Stephen McBride
4230 Halliday Rd.
Vale, OR 97918

Instrument # 249956

MURPHY, OWYHEE, IDAHO
2004-11-16 04:40:06 No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY
CHARLOTTE SHERBURN
Ex-Officio Recorder Deputy B. Evans Fee: 6.00
Index to: DEED, WARRANTY

After recording return to:
Timothy Stephen McBride
4230 Halliday Rd.
Vale, OR 97918

WARRANTY DEED

GRANTORS, ALVAN LOWRY, a single man, and SUSAN OPIE, a single woman, 1455 U.S. Hwy 95 N., Jordan Valley, OR 97910, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto TIMOTHY STEPHEN McBRIDE, a single man, 4230 Halliday Rd., Vale, OR 97918, as Grantee, and to Grantee's heirs and assigns forever, all of the following described real property located in Boise Meridian, County of Owyhee, Idaho:

In Township 3 South, Range 6 West, Boise Meridian, Owyhee County Idaho:
Sec. 14: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPTING THEREFROM:

Mineral rights and rights for exploration, development or extraction, as reserved and excepted in the Deed from Charles E. Mayer, Jr., recorded May 16, 1994, as Instrument No. 212825;

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises;

FURTHER SUBJECT TO:

1. That certain Mortgage from SUSAN OPIE, a single woman, and ALVAN LOWRY, a single man, as Mortgagors, to American Exchange Services, Inc., as Mortgagee, assigned to James V. Hayhurst, dated April 29, 2002, recorded May 7, 2002, as Instrument No. 239540; an Assignment of the beneficial interest under said Mortgage was recorded October 18, 2002, as Instrument No. 241315; said Mortgage given to secure an indebtedness in the sum of \$30,000, including all covenants, terms and conditions stated therein, which mortgage encumbrance is by acceptance of this deed of conveyance ASSUMED by Grantee, Timothy Stephen McBride, who covenants and agrees to fully pay said indebtedness and perform all obligations, covenants and conditions required by said mortgage and any other obligation secured thereby;
2. Easements, claims or encumbrances not shown by the public records;
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records;
4. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts

Page 1 of 2. Warranty Deed Lowry/Opie - McBride

authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records;

5. Any lines, or rights to a line, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records;

6. General taxes for the year 2004 which are a lien, payable on or before December 20 of said year and not delinquent until after said date;

7. Assertion of Right of way by BALTZER CATTLE COMPANY, recorded July 13, 1995, as Instrument No. 216156, Owyhee County Records;

8. Lack of a right of access to and from said land.

Subject to the foregoing, Grantors, for themselves, their heirs and assigns do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, his heirs and assigns forever against the lawful claims of all persons.

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 9th day of ~~October~~ November, 2004.

AL 50

Alvan Lowry
Alvan Lowry

Susan Opie
Susan Opie

STATE OF OREGON)

County of Malheur) ss.

On this 9th day of ~~October~~ November, 2004, before me the undersigned, a Notary Public for Oregon, personally appeared Alvan Lowry and Susan Opie, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed same.

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



Jane L. Reeves
Notary Public for Oregon
My commission expires: 8-8-07

Prepared by
STEPHEN D. FINLAYSON, P.C. ATTORNEY
709 Ponderosa Village
Burns OR 97720 541 573-2151

Return to
Timothy McBride
4230 Halliday Rd.
Vale, OR 97918

Page 2 of 2. Warranty Deed Lowry/Opie - McBride

After recording return to:
Malheur County Title Company
81 South Oregon St.
Ontario, OR 97914

Until a change is requested all tax statements shall be
sent to the following address:
Brackett Ranches, LP
5331 Old Sullivan Road
Homedale, ID 83628

THIS SPACE RESERVED FOR RECORDER'S USE

Instrument # 292592
MURPHY, OWYHEE, IDAHO
2017-04-26 03:39:40 No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY/OWYHEE
ANGELA BARKELL Fee: \$13.00
Ex-Officio Recorder Deputy: map
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

Electronically Recorded - DO NOT
Remove the County Stamped First
Page as it is now Incorporated as
Part of the original Document.

WARRANTY DEED

TIMOTHY STEPHEN MCBRIDE, a single man, whose address is P.O. Box 458, Jordan Valley, OR 97910, Grantor, conveys and warrants to **BRACKETT RANCHES, LP**, whose address is 5331 Old Sullivan Lane, Homedale, ID 83628, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

****Limited Partnership, an Idaho limited partnership**

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 and Grantees heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner 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 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 will warrant and defend the same from all lawful claims whatsoever.

The true consideration for this conveyance is: Relinquished property on behalf of the grantor and Replacement Property on behalf of the grantee as part of an IRC 1031 tax-deferred exchange

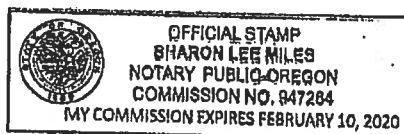
Dated this 20th day of April, 2017

Timothy Stephen McBride
Timothy Stephen McBride

STATE OF OREGON

County of Malheur)ss

On the 20th day of April, 2017, personally appeared before me **TIMOTHY STEPHEN MCBRIDE**, who acknowledged to me that he executed the same as his voluntary act and deed.



Sharon Lee Miles
Notary Public for Oregon
My commission expires: 2-10-20

EXHIBIT A

In Township 3 South, Range 6 West, Boise Meridian, Owyhee County, Idaho.

Section 14: Government Lots 1 and 2, Southeast Quarter of the Northwest Quarter, Northeast Quarter of the Southwest Quarter

EXCEPTING THEREFROM

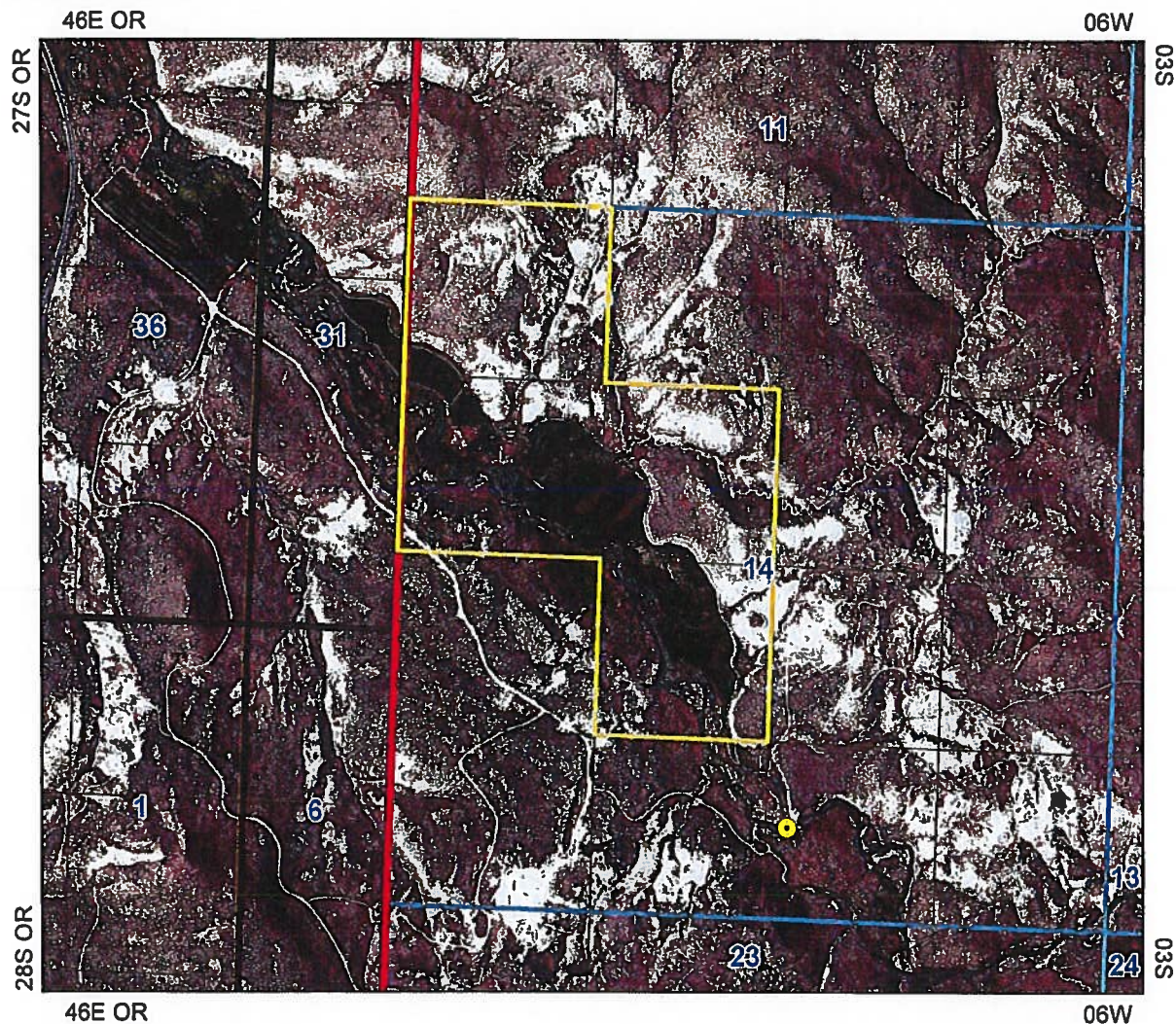
"The balance of said mineral rights and the rights for exploration, development or extraction", as reserved and excepted in the Deed from CHARLES E. MAYER, JR., also known as CHARLES E. MAYER, and recorded May 16, 1994 as Instrument No. 212825, Owyhee County Records.

State of Idaho
Department of Water Resources

Water Right
57-4002

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.15 0.3 0.6 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 27, 2017

BRACKETT RANCHES LP
5331 OLD SULLIVAN LANE
HOMEDALE ID 83628

Re: Change of Ownership for Water Right/Permit No(s): 57-4002, 57-02232

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report 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 § 42-222 and § 42-223, Idaho Code.

Also 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. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4803.

Sincerely,

Caitlin McCoy
Administrative Assistant

Enclosure(s)

c: Leslie Iversen, McFinney Agri-Finance, LLC

McFinney Agri-Finance, LLC

RECEIVED

JUN 23 2017

DEPARTMENT OF
WATER RESOURCES

IDWR State Office
PO Box 83720
Boise, Idaho 83720-0098

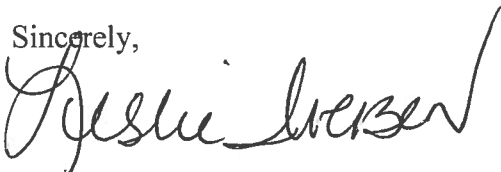
June 22, 2017

RE: Notice of Change of Water Right Ownership

Enclosed please find two (2) IDWR Notice of Change in Water Right Ownerships forms completed, and a check in the amount of \$50.00 for the processing fee.

Should you have any questions or need any further documentation to process these requests, please feel free to contact our office.

Sincerely,



Leslie Iversen,
McFinney Agri-Finance, LLC

Enclosures: 2

Physical address:

409 Shoshone Street South, Suite #25
Twin Falls, ID. 83301

Mailing Address:

PO Box 1598
Twin Falls, ID. 83303

208.734.6622 Telephone • 208.734.0745 Fax