

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 06 2017

Notice of Change in Water Right Ownership

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?
37-10566	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-21658	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: BRANDON LABBEE
3. New Owner(s)/Claimant(s): Braun Farms LLC - Ron Braun
 Name of current water right holder/claimant
 New owner(s) as listed on the conveyance document Shoshone Name connector ID ☐ and ☐ or ☐ and/or
895 W 620N City Shoshone State ID ZIP 83352
 Mailing address
208-886-7769 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: 2-9-16

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 # 37-10566

8. Signature: Ron Braun Signature of new owner/claimant Title, if applicable Owner Date 2-1-17
 Signature: Ernie Braun Signature of new owner/claimant Title, if applicable Sec. Date 2-1-17

For IDWR Office Use Only:

Received by AM Date 2-6-2017 Receipt No. 5035926 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 _____ Date _____

LINCOLN COUNTY
Recorded for:
RON BRAUN
3:33:15 pm 02-22-2016
0000-197113
No. Pages:3 Fee: \$16.00
BRENDA FARNWORTH
County Clerk
Deputy: CAROLE

TRUSTEE'S DEED

Brian G. Sayer, Klatt, Augustine, Sayer, Treinen & Rastede, P.C., (herein called Trustee) as Trustee under the Deed of Trust hereinafter particularly described, does hereby BARGAIN, SELL and CONVEY, WITHOUT WARRANTY, TO Ronald and Ennice Braun (herein called GRANTEE) whose address is: 895 W. 620 N, Shoshone, ID 83352, all of the real property situated in the County of Lincoln, State of Idaho described as follows:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 10: That portion of the E ½ NE1/4, described as follows:

Beginning at a point on the East line of said Section 10 that is S00°35'07"E 1,839.53 feet along said section line from the NE corner of said section 10 and running said S00°35.07"B 823.59 feet along the section line to the East ¼ corner of said Section 10;

Thence along said east west center line of said section 10 S89°38'06"W 378.61 feet to the East bank of an irrigation canal;

Thence along said east bank the following fourteen (14) courses:

- (1) N02°00'56"W 44.94 feet;
 - (2) Thence N18°36'01"B 53.37 feet;
 - (3) Thence N12°57'47"E 57.40 feet;
 - (4) Thence N20°31'17"E 45.37 feet;
 - (5) Thence N13°07'39"E 50.61 feet;
 - (6) Thence N14°23'08"B 34.87 feet;
 - (7) Thence N05°34'02"E 28.52 feet;
 - (8) Thence N01°09'34"W 35.04 feet;
 - (9) Thence N01°16'32" W 13.33 feet;
 - (10) Thence S82°09'36"E 27.24 feet; (11) Thence N26°46'11"E 23.97 feet;
 - (12) Thence N03°38'29"E 53.13 feet;
 - (13) Thence N00°13'40"W 68.47 feet;
 - (14) Thence N77°33'21 "W 19.86 feet;
- Thence N36°06'53"E 94.94 feet;
- Thence N31°57'39"E 94.94 feet;
- Thence N27°48'24"E 94.94 feet;

Thence N23°39' 10"E 94.94 feet;

Thence N89°38.06"E 93.98 feet to the POINT OF BEGINNING.

SUBJECT TO: County road right-of-way along the East and South boundaries, also a 10 foot wide underground electrical easement being 5 feet both sides of the following described center line.

Beginning at a power pole that is S00°35'07"E 2233.21 feet along the Section line and S89°38'06"W 25.63 feet from the NE corner of said Section 10 and running thence N77°29'19" W 286.86 feet along the center line of easement to the end of said easement terminating at an

electrical transformer.

 TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 5.0 acres of American Falls No. 2, also including any domestic or irrigation water rights, licenses with the State of Idaho, including but not limited to Water Right no. 37-21658 and 37-10366.

This conveyance is made pursuant to the powers conferred upon Trustee by the Deed of Trust between Brandon J. Labbee, a single person, as Grantor(s), Fidelity National Title, as Trustee herein, and The Bank Of New York Mellon Fka The Bank Of New York, As Trustee For The Certificateholders Of The Cwabs, Inc., Asset-backed Certificates, Series 2006-12, as Beneficiary, recorded 03/29/2006, as Doc # 180609, records of Lincoln County, Idaho, and after the fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance as follows:

- (a) Default occurred in the obligations for which such Deed of Trust was given as security and the Beneficiary made demand upon the said Trustee to sell said property pursuant to the terms of said Deed of Trust. Notice of default was recorded as Instrument No. 0000196598, Lincoln County Mortgage Records and in the office of the Recorder of each other county in which the property described in said Deed of Trust, or any part thereof, is situated, the nature of such default being set forth in said notice of Default. Such default still existed at the time of sale.
- (b) After recordation of said Notice of Default, Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, by posting in a conspicuous place on said property and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument No.(s) 0000196648, 0000196649, 0000196904, 0000196905, Lincoln County, Idaho Mortgage Records. In accordance with Idaho Code 45-1505, additional notice alerting delinquent homeowners of foreclosure rescue schemes was duly presented
- (c) The provisions, recitals and contents of the Notice of Default referred into paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.
- (d) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail

and the sale of said property.

- (e) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to the Grantee, being the highest bidder therefore, the property herein described, for the sum of \$112,801.00, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs/

IN WITNESS WHEREOF, I, the said Trustee, have hereunto set my hand this 9th day of FEBRUARY, 20 16.

By: _____

Brian G. Sayer, Trustee

Attest: _____

Julie Mayer,

Legal Assistant for Brian G. Sayer

Acknowledged before me this 9 day of February, 20 16.

Notary Public





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

February 27, 2017

Braun Farms LLC
895 W 620 N
SHOSHONE ID 83352

RE: Change of Ownership for Water Right Nos. 37-10566, 37-21658

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights. 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 black ink, appearing to read 'Kent L. Aasa', is written over the word 'Sincerely'.

Kent L. Aasa
Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 30, 2017

RONALD BRAUN
ENNICE BRAUN
895 W 620 N
SHOSHONE ID 83352

RE: Water Right No. 37-10566, 37-21658

Dear Property Owner(s):

We have been advised that you may be the current owner of the property associated with the water right(s) referenced above. Enclosed is additional information, for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change in Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Maline
Administrative Assistant

Enclosures

886-7769