

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 14 2016

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?
45-235	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-319	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-329-B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-11710	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gerald Brackenbury
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Randy Brackenbury Janet Brackenbury
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or
- P.O. Box 23 Albion ID 83311
Mailing address City State ZIP
- 208-673-6627 _____
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: _____
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 # 45-235

8. Signature: [Signature] _____ _____
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] _____ 10-13-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 11-14-2016 Receipt No. 5035818 Receipt Amt. \$100-

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 _____

Pgs. 1+2

↑

**RECORDING INFORMATION ON
FRONT PAGE OF DOCUMENT**

252393

WARRANTY DEED

EC-804

For Value Received

GERALD LEE BRACKENBURY and SUSAN GLENETT BRACKENBURY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RANDY BRACKENBURY and JANET BRACKENBURY, husband and wife

Address: P. O. Box 23
Albion, Idaho 83311

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

**TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 17: An undivided one-half interest in and to the Northeast quarter of the Northeast quarter;

Section 7: All of the Southeast quarter EXCEPTING THEREFROM the following described tracts:

Tract 1:

Beginning at the Southeast corner of said Section 7, thence West 210 feet; thence North 210 feet; thence East 210 feet; thence South 210 feet to the Point of Beginning;

Tract 2:

Beginning at the SE corner of Section 7 of T.12 S., R.25 E., B.M. said corner marked by a 5.8" rebar with 3" cap on top; Thence South 89°37'00" West along the south line of Section 7 for a distance of 689.50 feet to a 1/2" rebar which shall be the Point of Beginning;

Thence South 89°37'00" West along the south line of Section 7 for a distance of 196.65 feet to a 1/2" rebar;

Thence North 00°16'14" West for a distance of 177.22 feet to a 1/2" rebar;

Thence South 88°46'38" East for a distance of 173.59 feet to a 1/2" rebar;

Thence South 01°44'48" West for a distance of 101.50 feet to a 1/2" rebar;

Thence North 89°33'15" East for a distance of 26.56 feet to a 1/2" rebar;

Thence South 00°23'00" East for a distance of 70.95 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 100 inches of the waters of Howell Creek as decreed to George V. Brim by the District Court of the Third Judicial District of the (then) Territory of Idaho in and for the County of Cassia, on the 19th day of April, 1884, said water to date from the 1st day of May, 1877. Also 43-1/8 inches of the waters of March Creek and tributaries which said water was decreed to George V. Brim by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Cassia, on the 17th day of March, 1910, said water to date from the 12th day of April, 1892.

" " of what are known as Brim Springs, said waters of said spring having
19th day of April, 1884.

in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 1, 1997

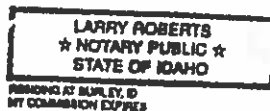
Gerald Lee Brackenbury
Gerald Lee Brackenbury

Susan Glenett Brackenbury
Susan Glenett Brackenbury

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 1st day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared GERALD LEE BRACKENBURY and SUSAN GLENETT BRACKENBURY, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03



LAND TITLE REQUEST
FILM 293
1991 DEC - 2 P 3 43
COUNTY, IDAHO
H. ROSKELLEY
RECORDER
602-271-1111
252393

24-1

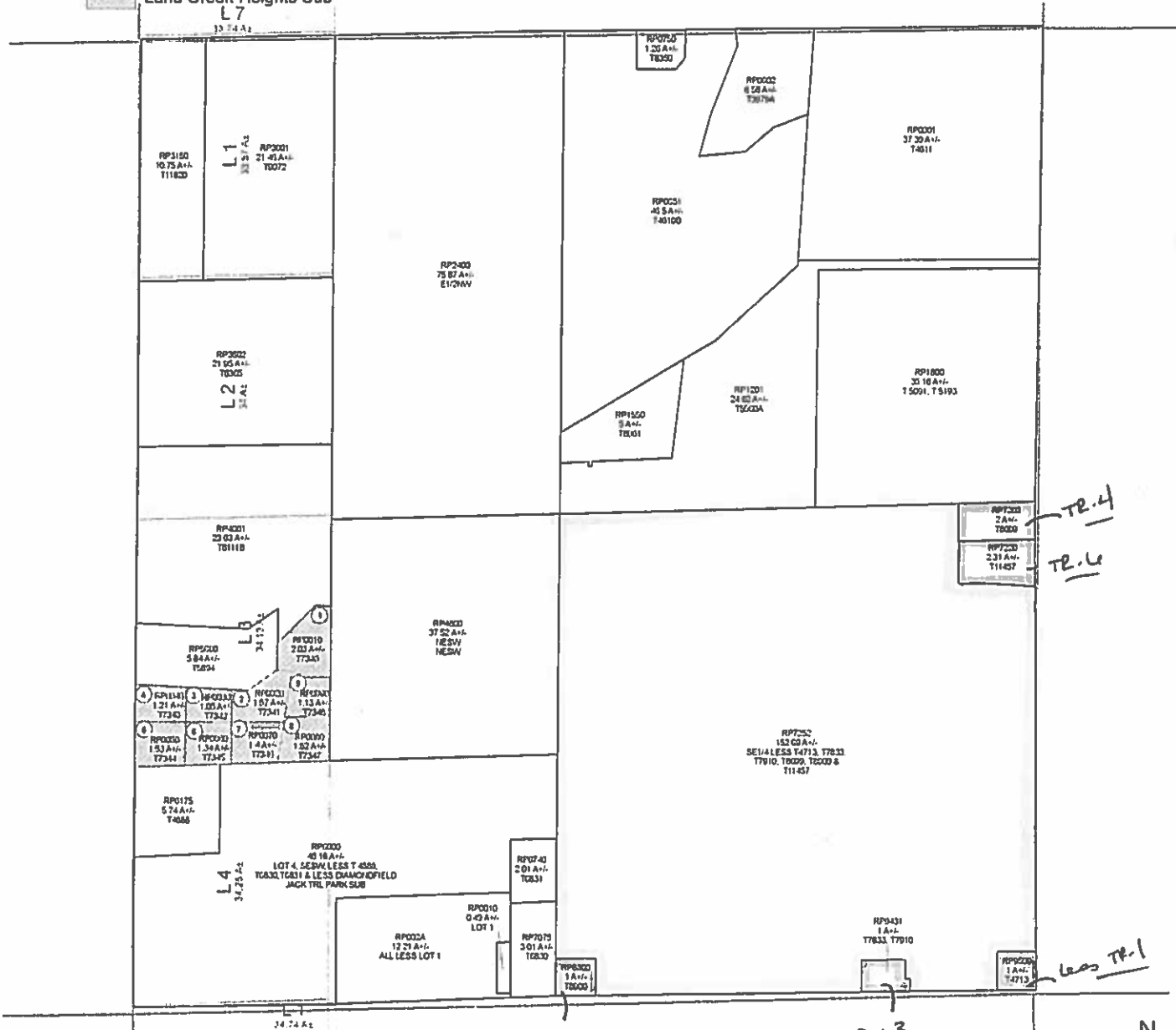
Subdivisions

Sub_Name

Sept. 9, 2015
Cassia County Assessor's Office, Idaho

12S 25E 07

Land Creek Heights Sub
L7
33.74 A±



GIS Specialist: Karen Shaw
County Assessor: Dwight Davis

This map is only a representation of the tax code area boundaries and should not be used for legal or surveying applications.

1 inch = 400 feet





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

November 17, 2016

RANDY BRACKENBURY
JANET BRACKENBURY
PO BOX 23
ALBION ID 83311

RE: Change of Ownership for Water Right Nos. 45-235, 45-319, 45-329B and 45-11710

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)

Cc: D.L. Evans Bank