

RECEIVED

JAN 07 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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?
D 51-7085 ✓	Yes ☒	Yes ☐	→ 51-13116	Yes ☐	Yes ☐
D 51-96 ✓	Yes ☒	Yes ☐	→ 51-13115	Yes ☐	Yes ☐
LLC 51-7267 ✓	Yes ☒	Yes ☐	→ 51-13114	Yes ☐	Yes ☐
D 51-10184 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
D 51-12964 ✓	Yes ☒	Yes ☐	→ 51-13112	Yes ☐	Yes ☐

2. Previous Owner's Name:

Bert & Paula Brackett

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Cherry Creek Ranch LLC

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

Flat Creek Ranch

Rogerson

ID

83302

Mailing address

City

State

ZIP

(208) 308-4962

gusbrackett@rtci.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: 12.24.2012

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.

SUPPORT DATA

IN FILE # 51-96

8. Signature:

Signature of new owner/claimant

Member
Title, if applicableJan 7th 2015
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

1.7.2015

Receipt No.

5034483

Receipt Amt.

500

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

12/28/2015

Instrument # 279509

MURPHY, OWYHEE, IDAHO

12-27-2012 01:23:42 No. of Pages: 2

Recorded for : STEPHAN DVANVIG STONE & TRAINOR

CHARLOTTE SHERBURN Fee: 13.00

Ex-Officio Recorder Deputy *Person*

Index to: DEED

RECEIVED
CLERK

GRANT, BARGAIN AND SALE DEED

FOR VALUE RECEIVED, NOY ELBERT BRACKETT III and PAULA BRACKETT, husband and wife, (referred to in this deed as "Grantor"), hereby grant, bargain, sell to **CHERRY CREEK RANCH, LLC**, an Idaho Limited Liability Company, whose address is 4833 1 Three Creek Hwy, Rogerson, Idaho, 83302, (referred to in this deed as "Grantee"), and to the successors and assigns of the Grantee, in fee simple, all of the Grantor's right, title, and interest in the real property located in Owyhee County, State of Idaho:

PARCEL 1

Township 15 South, Range 10 East, Boise Meridian

Section 24: N $\frac{1}{2}$ N $\frac{1}{2}$ NWNE;

N $\frac{1}{2}$ N $\frac{1}{2}$ NENW

Containing approximately 20.00 acres

PARCEL 2:

Township 15 South, Range 10 East, Boise Meridian

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

Section 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

Containing approximately 480.00 acres

TOGETHER WITH all improvements, easements, water rights and appurtenances thereto and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

TOGETHER WITH any water and water rights, including any associated dams, ditches, canals, pipelines, head gates, reservoirs, wells, troughs, pumps, pumping stations, rights of way, easements and all other means for the diversion or use of water and water rights on the property

TOGETHER WITH all right, title, and interest in and to the improvements, rights

privileges, easements, reversions, remainders, rents, royalties, issues and profits which are appurtenant to or obtained from such real property, including without limitation, all timber rights, and all of Grantor's interest (if any) in all oil, natural gas, coal, methane and other hydrocarbon rights, geothermal and hydrothermal rights, gravel rights, aggregate rights, and mineral rights appurtenant to such real property, and all right, title, and interest of the Grantor in the roads and travelways adjoining or passing through such real property.

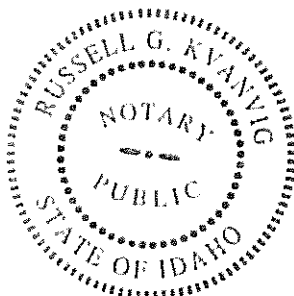
IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 24 day of December, 2012.

Noel Elbert Brackett III
NOY ELBERT BRACKETT III

Paula Brackett
PAULA BRACKETT

STATE OF IDAHO)
: ss.
COUNTY OF TWIN FALLS)

On this 24 day of December, 2012, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared NOY ELBERT BRACKETT III and PAULA BRACKETT, husband and wife, personally known or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Russell Kvanvig
Notary Public for Idaho
My Commission Expires on 8-12-17



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2015

CHERRY CREEK RANCH LLC
FLAT CREEK RANCH
ROGERSON, ID 83302

Re: Notice of Change in Water Right Ownership No's: 51-7085, 51-96, 51-7267, 51-10184, and 51-12964

Original: Water Right No. 51-7085
Split into: Water Right No's. **51-7085** and **51-13116**

Original: Water Right No. 51-96
Split into: Water Right No's. **51-96** and **51-13115**

Original: Water Right No. 51-7267
Split into: Water Right No's. **51-7267** and **51-13114**

Original: Water Right No. 51-12964
Split into: Water Right No's. **51-12964** and **51-13112**

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of the original water right.

When a portion of the original water right has been conveyed to another, a new water right number is created to represent the portion obtained by the new owners. For your records pool reports and map depicting the place of use (POU) and the point of diversion (POD) for **51-13112**, **51-13114**, **51-13115**, and **51-13116** are enclosed. Please refer to your new water right number when corresponding with our office.

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.

Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under these rights, including adding a new point of diversion, then an Application for Transfer on your portion of these rights is required. Please contact this office for further information on the Application for Transfer form or you can find the

forms at www.idwr.idaho.gov. If you do not plan on changing any items on your water rights, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Serrano". The signature is fluid and cursive, with the first name "Brenda" and last name "Serrano" clearly distinguishable.

Brenda Serrano
Office Specialist II
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2015

PAULA AND BERT BRACKETT
FLAT CREEK RANCH
ROGERSON, ID 83302

Re: Notice of Change in Water Right Ownership No's: 51-7085, 51-96, 51-7267, 51-10184, and 51-12964

Original: Water Right No. 51-7085

Split into: Water Right No's. **51-7085 and 51-13116**

Original: Water Right No. 51-96

Split into: Water Right No's. **51-96 and 51-13115**

Original: Water Right No. 51-7267

Split into: Water Right No's. **51-7267 and 51-13114**

Original: Water Right No. 51-12964

Split into: Water Right No's. **51-12964 and 51-13112**

Dear Water Right Holders:

The Department has received and processed a Change of Ownership for a portion of your original Water Rights as referenced above. This change of ownership resulted in a split of 4 of 5 mentioned water rights.

When a portion of the original water right has been conveyed to another and the original right has been split, a new water right number is created to represent the portion obtained by the new owners. For your records a proof report and map depicting the place of use (POU) and the point of diversion (POD) for **51-12964, 51-7267, 51-96, and 51-7085** are enclosed. Please refer to your new water right numbers when corresponding with our office.

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.

If you have any questions concerning the enclosed information or this letter, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Serrano". The signature is fluid and cursive, with the first name "Brenda" and last name "Serrano" clearly distinguishable.

Brenda Serrano
Office Specialist II
Western Regional Office