

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 07 2015

JAN 23 2015

WATER RESOURCES
WESTERN REGION

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?
51-12933 ✓	Yes ☐	Yes ☐	51-2222 ✓	Yes ☐	Yes ☐
51-136 ✓	Yes ☐	Yes ☐	51-12974 ✓	Yes ☐	Yes ☐
51-116 ✓	Yes ☐	Yes ☐	51-12944 ✓	Yes ☒	Yes ☐
51-2220 ✓	Yes ☐	Yes ☐	51-13113	Yes ☐	Yes ☐
51-2221 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Brackett Ranches LTD or Brackett Livestock
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: _____
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 # 51-116

8. Signature: [Signature] Member Jan 7th 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by BW Date 1.7.2015 Receipt No. 5034483 Receipt Amt. \$275
 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 [Signature] Processed by [Signature] Date 8/18/2015

Instrument # 276285

MURPHY, OWYHEE, IDAHO

12-12-2011 10:28:59 No. of Pages: 3

Recorded for : STEPHAN KVANVIG STONE & TRAINOR

CHARLOTTE SHERBURN Fee: 16.00

Ex-Officio Recorder Deputy

Index to: DEED, BARGAIN AND SALE

INDEXED
SERIALIZED

BARGAIN AND SALE DEED

GRANTOR, **Brackett Ranches Limited Partnership, an Idaho Limited Partnership**, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby bargain, sell and convey unto **Cherry Creek Ranch, LLC, an Idaho Limited Liability Company** whose principal address is c/o Noy E. Brackett III, at Flat Creek Ranch, Rogerson, ID 83302, as GRANTEE, and to GRANTEE'S successors and assigns forever, all of the following described real estate located in Owyhee County, State of Idaho:

- "Township 14 South, Range 10 East, Boise Meridian
 - Section 13: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 - Containing approximately 120.00 acres
- Township 14 South, Range 11 East, Boise Meridian
 - Section 7: Lots 2, 3 & 4
 - Containing approximately 145.41 acres
 - Section 18: Lot 1
 - Containing approximately 48.75 acres
- Township 16 South, Range 11 East, Boise Meridian
 - ✓Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 - Containing approximately 120.00 acres
 - ✓Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 - Containing approximately 160.00 acres
 - ✓Section 21: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 - Containing approximately 40.00 acres
 - ✓Section 22: NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 - Containing approximately 40.00 acres"

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 by use upon the premises.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.



652063

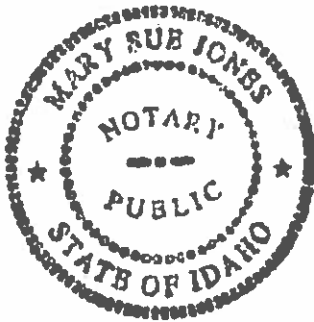
02/13/2012
003 of 4

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 by use upon the premises.

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, GRANTOR has hereunto caused this deed to be executed this 23 day of January, 2012.

BRACKETT RANCHES LIMITED PARTNERSHIP



By Noy Elbert Brackett III
NOY ELBERT BRACKETT, III, General Partner

By Paula Ann Brackett
PAULA ANN BRACKETT, General Partner

MAIL TAX STATEMENTS TO:

Cherry Creek Ranch, LLC
c/o Noy Elbert Brackett, III
Flat Creek Ranch
Rogerson, ID 83302



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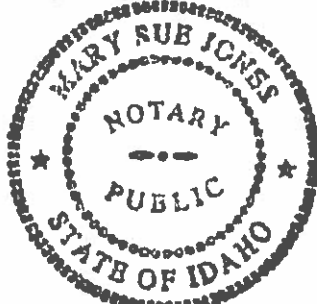
02/13/2012
004 of 4

STATE OF IDAHO)

COUNTY OF Ada)

On this 23 day of January, 2012, before me, the undersigned, a Notary Public for Idaho, personally appeared Way Elbert Brackett, III, known or proved to me on the basis of satisfactory evidence to be a general partner of Brackett Ranches Limited Partnership, an Idaho Limited Partnership, the partnership that executed the foregoing instrument, and acknowledged to me that he executed the same on behalf of said partnership.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal, the day and year in this certificate above written.



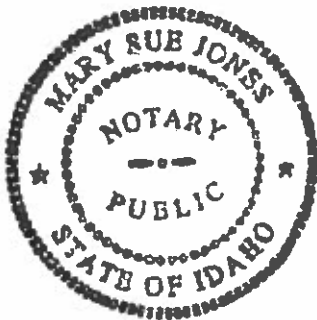
Mary Rue Jones
Notary Public for Idaho
My Commission Expires on 2/14/13

STATE OF IDAHO)

COUNTY OF Ada)

On this 23 day of January, 2012, before me, the undersigned, a Notary Public for Idaho, personally appeared Paula Ann Brackett, known or proved to me on the basis of satisfactory evidence to be a general partner of Brackett Ranches Limited Partnership, an Idaho Limited Partnership, the partnership that executed the foregoing instrument, and acknowledged to me that she executed the same on behalf of said partnership.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal, the day and year in this certificate above written.



Mary Rue Jones
Notary Public for Idaho
My Commission Expires on 2/14/13



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

August 18, 2015

CHERRY CREEK RANCH LLC
FLAT CREEK RANCH
ROGERSON, ID 83302

Re: Notice of Change in Water Right Ownership No's: 51-12933, 51-136, 51-116, 51-2220, 51-2221, 51-2222, 51-12974, and 51-12944

Original: Water Right No. 51-12944

Split into: Water Right No's. **51-13113**

Dear Water Right Holders:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Also processed was a Change of Ownership for a portion of Water Right 51-12944. 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 a poof report and map depicting the place of use (POU) and the point of diversion (POD) for **51-13113** 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 dark ink, appearing to read 'Brenda Serrano', is written over a light blue circular stamp.

Brenda Serrano
Office Specialist II
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 18, 2015

BRACKETT LIVESTOCK INC
PO BOX 403
TWIN FALLS, ID 83303

Re: Notice of Change in Water Right Ownership No's: 51-12944

Original: Water Right No. **51-12944**
Split into: Water Right No's. 51-13113

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 your original water right.

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 poof report and map depicting the place of use (POU) and the point of diversion (POD) for **51-12944** are enclosed. Please refer to this 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.

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', is written over a light blue horizontal line.

Brenda Serrano
Office Specialist II
Western Regional Office
Enclosures