

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>47-7748</u>	_____	___	<u>47-7748</u>	_____	___
<u>R-1208/47-2454</u>	_____	___	<u>47-14844</u>	_____	___
<u>R-1054</u>	_____	___	_____	_____	___
<u>A47-12065</u>	_____	___	_____	_____	___
<u>A47-12064</u>	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Kenneth Tverdy + Jane Tverdy

4. New Owner/Claimant(s)

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

Brackett Ranches Limited Partnership
Flat Creek Ranch, Rogerson, ID 83302

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

03-31-04

SUPPORT DATA

IN FILE # 47-2454

SCANNED

FILE

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Roy Elbert Brachett III
Paula Ann Brachett

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 4/13/04 Fee 100.00
 Received by [Signature] Date 4/13/04 Receipt No. SC21641
 Processed by [Signature] AJ Date _____ WR _____ Date _____

25 0076158 - 12.17.04

704-31

Twin Falls County, Idaho

Recorded for:
TWIN FALLS TITLE

09:12am Mar.31,2004

2004-006752

No. of Pages: 3 Fee: \$9.00
KRISTINA GLASCOCK
County Clerk
Deputy: KE

WARRANTY DEED

FOR VALUE RECEIVED, and as part of an IRC §1031 tax-deferred exchange, **KENNETH TVERDY** and **JUNE TVERDY**, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **BRACKETT RANCHES LIMITED PARTNERSHIP**, an Idaho limited partnership, the Grantee, whose address is Flat Creek Ranch, Rogerson, Idaho 83302, the following described premises (Brackett replacement property and Tverdy relinquished property), to-wit:

Township 12 South, Range 13, East of the Boise Meridian, Twin Falls County, Idaho,

SECTION 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 20: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

SECTION 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; S $\frac{1}{2}$ of Section.

SECTION 30: E $\frac{1}{2}$ NE $\frac{1}{4}$

Together with all water rights appurtenant to the described property including, but not limited to:

210 shares of stock in Cedar Canal Company, Ltd.:

Water Right Number 47-7748 in the name of Truman Clark

Water Right Number R-1208/47-2454 in the name of J. Frank Clark

Water License Number R-1054 in the name of J. F. Clark

Water Right Number A47-12065 in the name of Truman Clark

Water Right Number A47-12066 in the name of Truman Clark

Water Right Number 47-42A represented by 210 shares of stock in Cedar Canal Company

Water Right Number 47-14844 in the name of Ken Tverdy and June Tverdy

Grantors quitclaim their right, title and interest, in and to BLM Grazing Permit for 1573 active use AUMs in the 01014 Roseworth Point Allotment and for 4205 active use AUMs in the 01126 Conover Allotment and all non-use AUMs, suspended non-use AUMs or any other AUMs associated with the Roseworth Point Allotment and Conover Allotment.

Together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting such real property and any of Grantors' rights to use the same; (iv) any and all rights of ingress and egress to and from such real property and any of Grantors' rights to use same; (v) any and all mineral rights and interests of Grantors relating to such real property (present or revisionary); (vi) any and all rights to the present or future use of waste water, waste water capacity, drainage, water or other utility facilities to the extent such rights pertain to or benefit such real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantors, if any, to any leases covering all or any portion of such real property; and (viii) all right, title and interest of Grantors, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding such real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to such real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to such real property and (d) any and all reversionary interests in and to such real property (such real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the said Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantors do hereby bind themselves and their successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, to the full extent such matters are valid and subsisting and affect the Property.

DATED this 30 day of March, 2004.


KENNETH TVERDY


JUNE TVERDY

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

On this 30th day of March, 2004, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared KENNETH TVERDY and JUNE TVERDY, 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.

Julissa J. Oelrichs
Notary Public for Idaho
My Commission Expires on 12.10.05

