

RECEIVED

FEB 08 2024

Form 42-248 42-1409(6) Rev. 6/22

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES  
EASTERN 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 #7 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 23-11534 <u>OK</u>    | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: John C Branca III  
Name of current water right holder claimant
3. New Owner(s) Claimant(s) Landmark Properties, LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1855 Madison Ave. Idaho Falls ID 83404  
Mailing address City State Zip  
208-881-2269 drmarkfreeman@yahoo.com  
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: Jan 17, 2024
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐  
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record
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.

8. Signature: [Signature] Manager 1/2/24  
Signature of new owner/claimant Title, if applicable Date  
Mark D. Freeman  
Print name

Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
Signature of new owner/claimant  
Print name

Received by JB Date 2/8/2024 For IDWR Office Use Only: Receipt No E049795 Receipt Amt \$25 -  
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 JB Processed by JB Date 2/9/2024

Instrument # 1761153

Bonneville County, Idaho Falls, Idaho

01/24/2024 12:30:14 PM No. of Pages: 3

Recorded for: PIONEER TITLE CO OF BONNEVILLE CO LLC

Penny Manning Fee: \$15.00

Ex-Officio Recorder Deputy Rupchurch

Index to: DEED, WARRANTY

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Kristin Moore

Rocky Mountain Environmental Associates, Inc.

482 Constitution Way, Suite 303

Idaho Falls, ID 83402

PTC 833368  
PTC 833366

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(Space Above for Recorder's Use)

### SPECIAL WARRANTY DEED FOR WATER RIGHTS

John Branca, also known as John Branca III or John C. Branca III, a single man, whose address is 1625 River Dr., Jackson, Wyoming 83001-8850, (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto Landmark Properties, LLC, an Idaho limited liability company, whose address is 1855 Madison Ave. Idaho Falls, Idaho 83404, (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

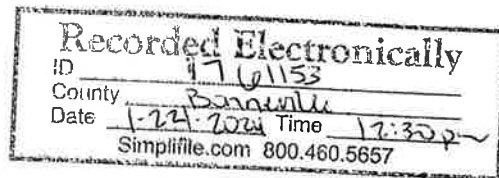
Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 17 day of January, 2024.



RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Kristin Moore  
Rocky Mountain Environmental Associates, Inc.  
482 Constitution Way, Suite 303  
Idaho Falls, ID 83402

PTC 833368  
PTC 833366

(Space Above for Recorder's Use)

### SPECIAL WARRANTY DEED FOR WATER RIGHTS

**John Branca, also known as John Branca III or John C. Branca III**, a single man, whose address is 1625 River Dr., Jackson, Wyoming 83001-8850, (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **Landmark Properties, LLC**, an Idaho limited liability company, whose address is 1855 Madison Ave. Idaho Falls, Idaho 83404, (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 17 day of January, 2024.

**EXHIBIT A**  
**WATER RIGHT DESCRIPTION**

Page 4 of 9

**WATER RIGHT NO. 23-11534**

**As Modified by Transfer No. 88437**

In accordance with the approval of Transfer No. 88437, Water Right No. 23-11534 is now described as follows:

**Right Holder:** JOHN C BRANCA III  
1625 RIVER DR  
JACKSON, WY 83001-8850

**Priority Date:** 4/22/1979

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u>  |
|-----------------------|-------------|-----------|------------------------|
| IRRIGATION            | 04/15       | to 10/31  | 0.060 cfs<br>0.060 cfs |

**LOCATION OF POINT(S) OF DIVERSION**

|              |           |                                          |
|--------------|-----------|------------------------------------------|
| GROUND WATER | NESE      | Sec 35 Twp 01N Rge 44E BONNEVILLE County |
| GROUND WATER | L5 (NWSE) | Sec 35 Twp 01N Rge 44E BONNEVILLE County |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW | SW | SE |        |
| 01N | 44E | 35  |  |    |    |    |    |    |    |    |    |    |    |    |    | 3.0 |    |    |    | 3.0    |

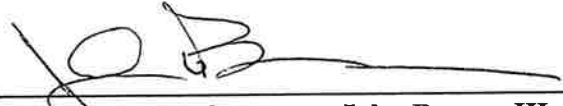
POU Total Acres: 3.0

**CONDITIONS OF APPROVAL**

1. Rights 23-11517, 23-11534, 23-11535, and 23-11536 when combined shall not exceed the irrigation of 4.5 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. This right does not grant any right-of-way or easement across the land of another.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 88437

"GRANTOR"

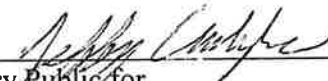


John Branca, also known as John Branca III or  
John C. Branca III

STATE OF Wyoming )  
 )ss.  
County of Teton )

This record was acknowledged before me on the 17<sup>th</sup> day of January 2024, by **John C. Branca, III.**

JEFFREY CARLYLE  
NOTARY PUBLIC  
STATE OF WY COUNTY OF TETON  
COMMISSION EXP 2/23/2025

  
Notary Public for  
My Commission Expires: 2/23/25



0005458812



**STATE OF IDAHO**  
*Office of the secretary of state, Phil McGrane*  
**ANNUAL REPORT**

Idaho Secretary of State  
PO Box 83720  
Boise, ID 83720-0080  
(208) 334-2301  
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005458812

Date Filed: 11/3/2023 12:01:32 PM

## Entity Name and Mailing Address:

Entity Name: Swan Valley RV Park LLC  
The file number of this entity on the records of the Idaho  
Secretary of State is: 0004108692  
Address: 1855 MADISON AVE  
IDAHO FALLS, ID 83404-1212

## Entity Details:

Entity Status: Active-Existing  
This entity is organized under the laws of: IDAHO  
If applicable, the old file number of this entity on the records of  
the Idaho Secretary of State was:

## The registered agent on record is:

Registered Agent: Mark Freeman  
Registered Agent  
Physical Address  
1855 MADISON AVE  
IDAHO FALLS, ID 83404  
Mailing Address  
1855 MADISON AVE  
IDAHO FALLS, ID 83404-1212

## Limited Liability Company Managers and Members

| Name         | Title   | Business Address                          |
|--------------|---------|-------------------------------------------|
| Mark Freeman | Manager | 1855 MADISON AVE<br>IDAHO FALLS, ID 83404 |

The annual report must be signed by an authorized signer of the entity.

Job Title: President

Mark Freeman

Sign Here

11/03/2023

Date

B0852-9141 11/03/2023 12:01 PM Received by Office of the Idaho Secretary of State



0005092506



**STATE OF IDAHO**  
*Office of the secretary of state, Phil McGrane*  
**ANNUAL REPORT**

Idaho Secretary of State  
PO Box 83720  
Boise, ID 83720-0080  
(208) 334-2301  
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005092506

Date Filed: 2/3/2023 1:01:14 PM

## Entity Name and Mailing Address:

Entity Name: LANDMARK PROPERTIES LLC  
The file number of this entity on the records of the Idaho Secretary of State is: 0000255686  
Address: 1855 MADISON AVE  
IDAHO FALLS, ID 83404-1212

## Entity Details:

Entity Status: Active-Existing  
This entity is organized under the laws of: IDAHO  
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W81903

## The registered agent on record is:

Registered Agent: JAMES D FREEMAN  
Registered Agent  
Physical Address  
1855 MADISON AVE  
IDAHO FALLS, ID 83404  
Mailing Address

## Limited Liability Company Managers and Members

| Name         | Title   | Business Address                          |
|--------------|---------|-------------------------------------------|
| Mark Freeman | Manager | 1855 MADISON AVE<br>IDAHO FALLS, ID 83404 |

The annual report must be signed by an authorized signer of the entity.

Job Title: President

*Mark Freeman*

Sign Here

*02/03/2023*

Date

B0774-5971 02/03/2023 1:01 PM Received by Office of the Idaho Secretary of State



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

February 09, 2024

LANDMARK PROPERTIES LLC  
1855 MADISON AVE  
IDAHO FALLS ID 83404-1212

Re: Change in Ownership for Water Right No(s): 23-11534

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily  
Technical Records Specialist 1

Enclosure(s)

cc: ROCKY MOUNTAIN ENVIRONMENTAL

**From:** [Baily, Jonie](#)  
**To:** [Kristin Moore](#)  
**Subject:** 23-11534 Landmark Properties  
**Date:** Thursday, February 8, 2024 1:03:00 PM  
**Attachments:** [Idaho Code Ownership Changes code highlighted.pdf](#)

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The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

\*\*\*\* **Notice provided to property owners:** According to the parcel information available there are several different property owners under the place of use of this water right. As per Idaho code notice to the property owners is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

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](http://www.idwr.idaho.gov).

Please feel free to contact the Department if you have any questions.

Sincerely,



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

**Jonie Baily | Technical Records Specialist**

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: [jonie.baily@idwr.idaho.gov](mailto:jonie.baily@idwr.idaho.gov)

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)