

RECEIVED

DEC 19 2023

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
77-10092	Yes ☐	Yes ☐		Yes ☐	Yes ☐
77-10093	Yes ☐	Yes ☐		Yes ☐	Yes ☐
77-10094	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Shepp Ranch Resort, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Johnson's Shepp Ranch, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 784 S. Clearwater Loop, Ste R Post Falls ID 83854
Mailing address City State Zip
651-470-0015 kjohnson@myteaminnovative.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: November 29, 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o 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):
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 # 77-10092

8. Signature: [Signature] President 12/6/2023
Signature of new owner/claimant Title, if applicable Date
Keith Johnson
Print name

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

For IDWR Office Use Only:

Received by KM Date 12.19.23 Receipt No. C117538 Receipt Amt. \$ 75.00
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 12-27-23

Recording Requested By
And When Recorded Mail To:

Instrument # 542537

IDAHO COUNTY, IDAHO,
11-29-2023 10:38:41 AM No. of Pages: 4
Recorded for : IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 15.00
Ex-Officio Recorder Deputy 

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **Shepp Ranch Resort, LLC**, an Idaho limited liability company ("Grantor") does hereby grant, bargain, sell and convey to **Johnson's Shepp Ranch, LLC**, an Idaho limited liability company ("Grantee"), whose mailing address is 1469 South Main Street, Cascade ID 83611, all of Grantor's right, title, and interest in and to that certain real property located in Idaho County, Idaho, described herein below, together with all appurtenant water and water rights, expressly including water right number 77-10092 for irrigation and stockwater, 77-10093 for domestic use, and 77-10094 for power from storage and power storage, all ditches and ditch rights, and including but not limited to any ground water wells and well permits and rights, any surface water ditches and ditch permits and rights, and facilities of any kind related thereto, and any of Grantor's interests in the mineral rights appurtenant thereto (the "Property") described herein:

A portion of H.E.S. 733 located in sections 1 and 12, Township 24 North, Range 6 East of the Boise Meridian, Idaho County, Idaho, more specifically described as follows:

Block 2, Block 3, Lots 1, 2, 3, and 4 of Block 4, Lots 1, 2, 3, and 4 of Block 5, Lots 1, 2, 3, and 4 of Block 6, Lots 1, 2, 3 and 4 of Block 7, and Lots 1, 2, 3, and 4 of Block 8, all in Shepp Ranch Subdivision, as showing by the recorded plat thereof, recorded March 9, 1981, under instrument No. 289844, records of Idaho County, Idaho.

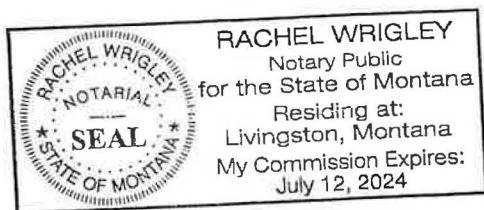
To have and to hold the described Property to Grantee, Grantee's heirs, and assigns forever, EXPRESSLY SUBJECT to those certain encumbrances listed on Exhibit A – Permitted Exceptions attached hereto (collectively, the "Permitted Exceptions"), and all rights, reservations, exceptions and easements of record.

Grantor, for Grantor's successors and assigns, hereby covenants with and to Grantee and Grantee's heirs and assigns that Grantor is lawfully seized in fee simple of the described Property; that Grantor has the right and authority to convey said Property to Grantee; that the described Property is free from all encumbrances except for the Permitted Exceptions, for general taxes and assessments for the current year, which are not yet due and payable, and for all other rights, reservations, exceptions and easements of record and that Grantor will warrant and defend the same forever from all other lawful claims; that Grantor and Grantor's successors and

Shepp Ranch Resort, LLC
an Idaho limited liability company

State of MONTANA)
)ss.
County of GALLATRY)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for the State of MT
Residing at: LEWIS & CLARK
Comm. Expires: 7/12/24

Exhibit A – Permitted Exceptions

1. Matters as shown on Survey, recorded March 9, 1981, under Instrument No. 289844; Survey No. S-1580, recorded November 25, 1998, under Instrument No. 403357; Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403358; and Survey No. S-1635A, recorded April 30, 1999, under Instrument No. 405797, records of Idaho County, Idaho.
2. Restrictive Covenants, including the terms and provisions thereof, recorded December 9, 1983, under Instrument No. 310183, records of Idaho County, Idaho; Said Restrictive Covenants were partially released by Release and Conveyance recorded June 16, 1986, under Instrument No. 327500; said Restrictive Covenants were further released by Quitclaim Deed, recorded December 31, 1997, under Instrument No. 397710, all records of Idaho County, Idaho.
3. Lack of a right of access to and from the land.
4. Terms and provisions in Private Waterline Easement, by and between UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, Grantor and PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantee, recorded November 25, 1998, under Instrument No. 403357, records of Idaho County, Idaho, and shown by Record of Survey No. S-1580 recorded November 25, 1998, under Instrument No. 403358, records of Idaho County, Idaho.
5. Trail Easement, including the terms and provisions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, and JAVELIN PARTNERSHIP, a California limited partnership, Grantor and UNITED STATES OF AMERICA, Grantee, recorded November 25, 1998, under Instrument No. 403359, and re-recorded June 17, 1999, under Instrument No. 406608, records of Idaho County, Idaho, and as shown by Record of Survey No. S-1581, recorded November 25, 1998, under Instrument No. 403360, records of Idaho County, Idaho.
6. National Wild and Scenic River System Easement Deed, including the terms and provisions thereof, by and between PAUL MARTIN RESNICK, Trustee of the PAUL MARTIN RESNICK REVOCABLE TRUST, as to an undivided 45% interest; and JAVELIN PARTNERSHIP, a California limited partnership, as to an undivided 55% interest, Grantor and UNITED STATES OF AMERICA Department of Agriculture, United States, recorded April 30, 1999, under Instrument No. 405798, records of Idaho County, Idaho.
7. Rights and easements in favor of the public for recreational uses of Crooked Creek.
8. Rights and easements in favor of the public for recreational uses of the Salmon River.
9. Any adverse claims based on the assertion that the location of the Salmon River has moved subsequent to its adoption as a title boundary.
10. Any claim arising from the difference in mean high water line of the Salmon River and the meander line as shown by Government Survey or the State of Idaho.

11. Terms and provisions as set forth in Warranty Deed, by and between SHEPP RANCH, LLC, an Idaho limited liability company, Granter, and SHEPP RANCH RESORT, LLC, an Idaho limited liability company, Grantee, recorded March 9, 2020, under Instrument No. 522866, records of Idaho County, Idaho.



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 28, 2023

JOHNSONS SHEPP RANCH LLC
784 S CLEARWATER LOOP STE R
POST FALLS ID 83854-9599

Re: Change in Ownership for Water Right No(s): **77-10092, 77-10093, 77-10094**

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

Water Right 77-10092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNSONS SHEPP RANCH LLC 784 S CLEARWATER LOOP STE R POST FALLS, ID 83854-9599 (651) 470-0015
Original Owner	SHEPP RANCH PAUL M RESNICK 116 N ROBERTSON BLVD #603 LOS ANGELES, CA 90048 (213) 659-6302
Previous Owner	SHEPP RANCH RESORT, LLC PO BOX 11890 BOZEMAN, MT 59719-1890 (406) 582-8100

Priority Date: 12/31/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CROOKED CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.060 CFS	
STOCKWATER	01/01	12/31	0.030 CFS	
	<u>Total Diversion</u>		0.090 CFS	

Source and Point(s) of Diversion:

CROOKED CREEK	SENW	Sec. 12, Twp 24N, Rge 06E, IDAHO County
CROOKED CREEK	NESW	Sec. 12, Twp 24N, Rge 06E, IDAHO County

Place Of Use:

STOCKWATER within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	06E	12								X									

IRRIGATION within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	06E	12			2.5					2.5	5.0						5.0		15.0

POU Total Acres: 15.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | N14 | The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day. |
| 2. | J02 | PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NO. 773. |
| 3. | C18 | This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |

Dates and Other Information:

Decreed Date: 10/13/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

Water Right 77-10093

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SHEPP RANCH PAUL M RESNICK 116 N ROBERTSON BLVD #603 LOS ANGELES, CA 90048 (213) 659-6302
Previous Owner	SHEPP RANCH RESORT, LLC PO BOX 11890 BOZEMAN, MT 59719-1890 (406) 582-8100
Previous Owner	SHEPP RANCH LLC HC 83 BOX 8000 CASCADE, ID 83611-8000

Priority Date: 12/31/1906

Basis: Decreed

Status: Active

Source
SPRING

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.150 CFS	
	<u>Total Diversion</u>		0.150 CFS	

Source and Point(s) of Diversion:

SPRING NWSE Sec. 12, Twp 24N, Rge 06E, IDAHO County

Place Of Use:

DOMESTIC within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	06E	12			X					X						X			

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. J02 PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NO. 773.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

- | | | |
|----|-----|---|
| 3. | N11 | The quantity of water decreed for this water right is not a determination of historical beneficial use. |
| 4. | N13 | The quantity of water under this right shall not exceed 13,000 gallons per day. |

Dates and Other Information:

Decreed Date: 10/13/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

Water Right 77-10094

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNSONS SHEPP RANCH LLC 784 S CLEARWATER LOOP STE R POST FALLS, ID 83854-9599 (651) 470-0015
Original Owner	SHEPP RANCH LLC HC 83 BOX 8000 CASCADE, ID 83611-8000
Previous Owner	SHEPP RANCH RESORT, LLC PO BOX 11890 BOZEMAN, MT 59719-1890 (406) 582-8100

Priority Date: 12/31/1950

Basis: Decreed

Status: Active

Source
CROOKED CREEK

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
POWER STORAGE	01/01	12/31		4.5 AF
POWER FROM STORAGE	01/01	12/31		4.5 AF
	<u>Total Diversion</u>			4.5 AF

Source and Point(s) of Diversion:

CROOKED CREEK	SENW	Sec. 12, Twp 24N, Rge 06E, IDAHO County
CROOKED CREEK	SENW	Sec. 12, Twp 24N, Rge 06E, IDAHO County

Place Of Use:

POWER FROM STORAGE within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	06E	12								X									

POWER STORAGE within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	06E	12								X									

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/27/2023

- | | | |
|----|-----|---|
| 1. | J02 | PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NO. 773. |
| 2. | C18 | This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |
| 3. | 171 | The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights. |

Dates and Other Information:

Decreed Date: 1/17/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

MESSERLI | KRAMER

RECEIVED
DEC 19 2023
DEPARTMENT OF
WATER RESOURCES

December 12, 2023

Idaho Department of Water Resources
322 E. Front Street, Suite 648
Boise, ID 83702-7371

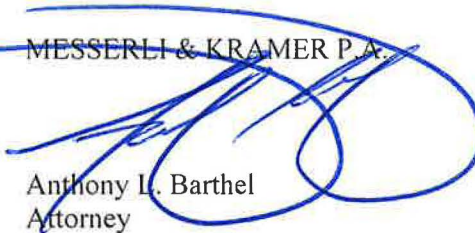
Re: Notice of Change in Water Right Ownership Nos. 77-10092, 77-10093 & 77-10094
Our File No. 27127-1

Dear Clerk:

Enclosed please find the signed Notice of Change in Water Right Ownership for Johnson's Shepp Ranch LLC and a check payment in the amount of \$75.00.

Please return the copy with your file or received stamp in the enclosed envelope for our records.
Thank you for your assistance.

MESSERLI & KRAMER P.A.



Anthony L. Barthel
Attorney

Encls. (Notice of Change of Water Rights Ownership)
(Deed)

cc: Keith Johnson (via email: kjohnson@myteaminnovative.com)

direct: 612.672.3652

email: abarthel@messerlikramer.com

fax: 612.672.3777