

*North Dakota*  
**STOCKMEN'S ASSOCIATION**



407 SOUTH 2ND STREET  
BISMARCK, ND 58504  
(701) 223-2522

## TRANSFERRING A BRAND

Review the transfer forms and contact the North Dakota Stockmen's Association if you have any questions. Type or print legibly, and include all of the required information and signatures when completing the forms. Incomplete transfers cannot be processed.

### **Required to transfer a brand:**

1. Brand Bill of Sale/Brand Transfer
  - Include a drawing of the brand, species and position the brand is recorded on, the names of the people currently on the recording, and the names of the people to be listed on the transferred brand where indicated on the brand bill of sale/brand transfer form.
  - The form must be signed by each person whose name is currently recorded on the brand and their disinterested witness.
2. Application for Brand Recording
  - Provide the names of the people to be listed on the transferred brand, the mailing address and the contact information for the brand where indicated on the application.
  - Include a drawing of the brand, species and position the brand is recorded on under 1<sup>st</sup> Choice.
  - The application must be signed by each person whose name will be on the brand once the transfer is processed. This includes new owners being added to a brand and current owners remaining on a brand, as applicable.
3. Transfer fee of \$25.00 per position per species must accompany the brand bill of sale/brand transfer and the application for brand recording. Cash, check and money order are accepted.
4. See reverse for additional requirements when transferring a brand with a deceased owner.

**Contact the North Dakota Stockmen's Association for information on transfers involving business entities, legal name changes, trusts, or other special circumstances.**

**In the event a brand owner dies, the brand must be transferred to remove his or her name from the recording.** Additional steps required to transfer a deceased person's brand can be seen below. For brands with multiple owners, refer to the conjunction used to adjoin names on the current recording for the additional instructions on removing a deceased person's name from the brand.

**Brands recorded in a decedent's name alone** will require the personal representative of the estate to authorize the transfer of the brand on behalf of the deceased person.

- The personal representative of the estate will sign the decedent's name followed by the initials P.R.
- A copy of the testamentary letter must accompany the Brand Bill of Sale and Application for Brand Recording.
- If no probate occurred, a notarized affidavit for collection of personal property may be submitted.

**“And” = Tenants in Common**, which means that all owners on the brand will need to sign a bill of sale. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

- The personal representative of the estate will sign the decedent's name followed by the initials P.R.
- A copy of the testamentary letter must accompany the Brand Bill of Sale and Application for Brand Recording.
- If no probate occurred, a notarized affidavit for collection of personal property may be submitted.

**“And/Or” = Joint Tenancy and Tenants in Common**, which means that any owner on the brand can sign a bill of sale. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

- The personal representative of the estate will sign the decedent's name followed by the initials P.R.
- A copy of the letter of testamentary must accompany the Brand Bill of Sale and Application for Brand Recording.
- If no probate occurred, a notarized affidavit for collection of personal property may be submitted.

**“Or” = Joint Tenancy**, which means that any owner on the brand can sign a bill of sale. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by the remaining brand owners.

- A notarized Request for Removal of Decedent from Brand Record must be signed by the party requesting the deceased's name be removed from the brand.
- A copy of the death certificate or death record must accompany the Request for Removal of Decedent.



407 S. 2<sup>nd</sup> Street  
Bismarck, ND 58504  
(701) 223-2522

# Brand Bill of Sale/Brand Transfer

brands@ndstockmen.org  
www.ndstockmen.org

### To Add or Remove a Brand Owner:

- 1) Current owners must complete and sign a Brand Bill of Sale/Brand Transfer in the presence of a witness, even when they will be part of the new ownership. Only witnesses who have nothing to gain or lose from the transfer will be valid.
- 2) All owners to be listed on the recording after any changes must complete and sign an Application for Brand Recording to accompany the Brand Bill of Sale.
- 3) Include processing fee of \$25 per position per species when submitting transfer forms.
- 4) See reverse for more information.

*\*All signatures on this form must be original.*

### Drawing of Brand

Brand #:

Cattle		Horses	
Hip	<input type="checkbox"/> L <input type="checkbox"/> R	Hip	<input type="checkbox"/> L <input type="checkbox"/> R
Rib	<input type="checkbox"/> L <input type="checkbox"/> R	Jaw	<input type="checkbox"/> L <input type="checkbox"/> R
Shoulder	<input type="checkbox"/> L <input type="checkbox"/> R	Shoulder	<input type="checkbox"/> L <input type="checkbox"/> R
Other species & position:			

All brand owners as listed on the current recording:

All brand owners to be listed on the new/updated recording:

*The current owner(s) acknowledge receipt of the above consideration and grant, bargain, sell, release and forever quit claim to all rights, title and interest in and to the above described livestock brand.*

*Further, the present owner(s) agree(s) to warrant and defend the recorded brand hereby sold to the new owner(s) and his/her personal representative assigns against every person.*

### ALL CURRENT BRAND OWNERS ARE REQUIRED TO SIGN THE BILL OF SALE

*Not valid unless witnessed by a disinterested party. There is additional space to sign on the back.*

**Owner:**  
 \_\_\_\_\_  
 Sign \_\_\_\_\_ Print \_\_\_\_\_

Address \_\_\_\_\_ Date \_\_\_\_\_

**Witness:**  
 \_\_\_\_\_  
 Sign \_\_\_\_\_ Print \_\_\_\_\_

Address \_\_\_\_\_ Date \_\_\_\_\_

**Owner:**  
 \_\_\_\_\_  
 Sign \_\_\_\_\_ Print \_\_\_\_\_

Address \_\_\_\_\_ Date \_\_\_\_\_

**Witness:**  
 \_\_\_\_\_  
 Sign \_\_\_\_\_ Print \_\_\_\_\_

Address \_\_\_\_\_ Date \_\_\_\_\_

**ALL CURRENT BRAND OWNERS ARE REQUIRED TO SIGN THE BILL OF SALE**

**Owner:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Witness:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Owner:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Witness:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Owner:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Witness:**  
\_\_\_\_\_  
Sign \_\_\_\_\_ Print \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_ Date \_\_\_\_\_

**Additional Brand Transfer Information**

**In the event that a brand owner dies**, the brand must be transferred to remove his or her name from the record. Refer to the conjunction used to adjoin names on the current brand recording for additional instructions how to remove a deceased person's name from the record. For brands with a deceased sole brand owner, refer to the instructions for "and" between owner names.

**"And" = Tenants in Common**, which means that all owners on the brand will need to sign a bill of sale, market clearance, etc. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

- The personal representative of the estate will sign the decedent's name followed by the initials *P.R.*
- A copy of the letter of testamentary must accompany the Brand Bill of Sale and Application for Brand Recording.
- If no probate occurred, an affidavit for collection of personal property may be submitted.

**"And/Or" = Joint Tenancy and Tenants in Common**, which means that any owner on the brand can sign a bill of sale, market clearance, etc. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

- The personal representative of the estate will sign the decedent's name followed by the initials *P.R.*
- A copy of the letter of testamentary must accompany the Brand Bill of Sale and Application for Brand Recording.
- If no probate occurred, an affidavit for collection of personal property may be submitted.

**"Or" = Joint Tenancy**, which means that any owner on the brand can sign a bill of sale, market clearance, etc. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by the remaining brand owners.

- A Request for Removal of Decedent from Brand Record must be signed by the party requesting the deceased person's name be taken off the brand. This form must be notarized.
- A copy of the death certificate or death record must accompany the Request for Removal.

**Contact the Stockmen's Association for information on transfers involving business entities, legal name changes, and other special circumstances.**

Office Use Only	
Brand #: _____	386 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">387</span>
Paid: \$ _____	Check #: _____ Cash
Recorded: _____	
Notes: _____	

# Application for Brand Recording

**DO NOT have irons made or brand any livestock until you receive the brand certificate.**

<b>Brand Owner Name(s)</b> If there will be multiple owners, circle the term to use between the names. See reverse for definitions. If nothing is indicated "or" will be used.		
OR		
AND/OR		
AND		
Mailing Address	City, State, Zip	County
Home Phone	Cell Phone	Email

Indicate multiple choices to save time and correspondence. Additional options will only be pursued if the preceding choices are not available.

<b>1st Choice</b>	<b>2nd Choice</b>	<b>3rd Choice</b>
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Cattle	Horses
Hip <input type="checkbox"/> L <input type="checkbox"/> R	Hip <input type="checkbox"/> L <input type="checkbox"/> R
Rib <input type="checkbox"/> L <input type="checkbox"/> R	Jaw <input type="checkbox"/> L <input type="checkbox"/> R
Shoulder <input type="checkbox"/> L <input type="checkbox"/> R	Shoulder <input type="checkbox"/> L <input type="checkbox"/> R
Other species & position:	

X	
Cattle	Horses
Hip <input type="checkbox"/> L <input type="checkbox"/> R	Hip <input type="checkbox"/> L <input type="checkbox"/> R
Rib <input type="checkbox"/> L <input type="checkbox"/> R	Jaw <input type="checkbox"/> L <input type="checkbox"/> R
Shoulder <input type="checkbox"/> L <input type="checkbox"/> R	Shoulder <input type="checkbox"/> L <input type="checkbox"/> R
Other species & position:	

X	
Cattle	Horses
Hip <input type="checkbox"/> L <input type="checkbox"/> R	Hip <input type="checkbox"/> L <input type="checkbox"/> R
Rib <input type="checkbox"/> L <input type="checkbox"/> R	Jaw <input type="checkbox"/> L <input type="checkbox"/> R
Shoulder <input type="checkbox"/> L <input type="checkbox"/> R	Shoulder <input type="checkbox"/> L <input type="checkbox"/> R
Other species & position:	

**THE FEE TO RECORD OR TRANSFER A BRAND IS \$25 PER POSITION PER SPECIES.**

\_\_\_\_\_ X \$25 = \$\_\_\_\_\_. This fee must accompany this application.

**ALL BRAND OWNERS (all names listed above) ARE REQUIRED TO SIGN THE APPLICATION.**  
*All signatures on this form must be original.*

\_\_\_\_\_  
 Applicant, please sign here

\_\_\_\_\_  
 Applicant, please sign here

\_\_\_\_\_  
 Applicant, please sign here

\_\_\_\_\_  
 Applicant, please sign here

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

## Information for Brand Owners

Although there are no legal requirements for branding iron size, they should be 4 inches in height with a 3/8-inch face. Irons should be heated to wood-ash gray before applying to hide. They should burn deep enough so the scars will peel.

**When branding, position the characters in your brand exactly as shown on your brand certificate. The brand must be placed on the proper location on the animal.** Every person in charge of livestock shipment should know the ownership of the brands on the animals their care.

**Obtain a bill of sale from the recorded brand owner when buying branded livestock.** This will eliminate delays at the markets. Brand inspectors will not honor a bill of sale covering livestock bearing a recorded brand unless it has been signed by the recorded owner and witnessed by a disinterested party. Proof of ownership will be required for animals bearing fresh brands when such animals carry an old brand. **Branding livestock with your brand in no way exempts you from having to prove ownership on an existing brand on the animal.**

A brand, regardless of its recording date, is to be renewed on a predetermined five year schedule. The next renewal date is Jan. 1, 2021. A renewal notice will be mailed to the last known address on file in the brand recording office. **Contact the North Dakota Stockmen's Association at (701) 223-2522 or [brands@ndstockmen.org](mailto:brands@ndstockmen.org) if your mailing address changes.**

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## Information about Brand Recording

- Brands may be configured straight away, monogramed, stacked, stacked monogram, flying or hanging.
- Brands must consist of two, or more, letters, numbers or symbols.
- Characters should be proportionate in size. Letters and symbols may be lazy, reversed or inverted.
- Capital print block letters of the alphabet excluding G and Q may be used. **A B C D E F H I J K L M N O P R S T U V W X Y Z**
- Numbers two through nine may be used. **2 3 4 5 6 7 8 9**
- The following symbols may be used: arrow, box, slash, bar, diamond, quarter circle, rafter, mill iron, heart, triangle, star and cross.



- Brands that are identical or deemed deceptively similar to current brands cannot be recorded.
- Brands comprised of letters, numbers or symbols within another letter, number or symbol cannot be recorded.
- Brands judged to be unreadable when placed on livestock cannot be recorded.
- Brands recorded in another state may not be recorded in the same position on the same species in North Dakota.
- Numerical brands of two or more upright numbers cannot be placed on the hips of cattle.
- **Anyone listed as an owner must sign the application.** Children must be old enough to sign the application to be listed as owners.
- Brands recorded in a trust must name the trustees. Trust papers, such as a certificate of trust, that appoint the trustees and define the trustees' power of sale must accompany the application.
- Brands may be recorded in the name of a business in some instances. For more information contact the North Dakota Stockmen's Association at (701) 223-2522 or [brands@ndstockmen.org](mailto:brands@ndstockmen.org).
- Brand recording and brand transfer fees are \$25.00 per position per species.



*(ex. One horse position = \$25. One cattle position and one horse position = \$50. Three cattle positions = \$75)*

## Positions Available on Livestock

### Horses | Mules

left or right hip  
left or right jaw  
left or right shoulder

### Cattle

left or right hip  
left or right rib  
left or right shoulder

### Buffalo

left or right hip  
left or right rib

### Sheep | Goats

bridge of nose  
left or right nose  
left or right jaw  
left or right ear

### Swine

left or right hip  
left or right shoulder  
left or right rib  
left or right jaw  
back

## Brand Joint Ownership Definitions

**“And” = Tenants in Common**, which means that all owners on the brand must will need to sign a bill of sale. It will also mean that in the event a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

**“And/Or” = Joint Tenancy and Tenants in Common**, which means any owner on the brand can sign a bill of sale. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by his or her estate.

**“Or” = Joint Tenancy**, which means any owner on the brand can sign a bill of sale. It will also mean that in the event that a brand owner dies, his or her portion of the brand will then be assumed by the remaining brand owners.