

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 24 2022

Notice of Change in Water Right Ownership
Department of Water Resources
Eastern 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?
11-4033A BR	Yes ☐	Yes ☐		Yes ☐	Yes ☐
11-4033B BR	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Roger L Stephens and Rodin G Ranch LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Smith Legacy Ranch, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 515 E. Payson Canyon Rd Payson UT 84651
Mailing address City State ZIP
- 801-656-9403 matt@dbarsmeats.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: December 20, 2021

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):
 - ☐ \$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: Matt Smith Owner/manager 3/22/22
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 3/24/2022 Receipt No. E047934 Receipt Amt. \$50.-

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 4/7/2022



First American Title Company
469 Washington St, Montpelier, ID 83254
Phone (208)847-1300 Fax (208)847-1314

Smith Legacy Ranch, LLC
515 E. Payson Canyon Road
Payson, UT 84651

February 16, 2022
File No.: 1020305-MON (ab)

Re: **950 Bern Rd, Montpelier, ID 83254**

Regarding the above referenced escrow closing, enclosed please find the following:

- Original **Warranty Deed**, recorded as **Instrument #237596**
- Original **Quitclaim Deed**, recorded as **Instrument #237597**

Please retain the enclosed items for your records.

We appreciate having had the opportunity to be of service to you in this transaction. If you should have questions, or if we can be of assistance in the future, please don't hesitate to contact us.

Sincerely,

Andrea Beck
Escrow Officer

ab/ka

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company

469 Washington St

Montpelier, ID 83254

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **1020305-MON (ab)**Date: **January 19, 2022**

For Value Received, **Rockin G Ranch, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Smith Legacy Ranch, LLC, a Utah limited liability company**, hereinafter called the Grantee, whose current address is **515 E. Payson Canyon Road, Payson, UT 84651**, the following described premises, situated in **Bear Lake County, Idaho**, to-wit:

PARCEL NO. 1:**TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN, Bear Lake County, Idaho:****Section 29: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; & W $\frac{1}{2}$ NE $\frac{1}{4}$.****EXCEPT: All that portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ lying East of the Railroad Right of Way.**

ALSO: Commencing at the Southeast Corner of the Southwest Quarter of Section 20, Township 12 South, Range 44 East of the Boise Meridian, Idaho; thence West 80 rods; thence North 80 rods; thence East 80 rods, more or less, to the right of way of the Oregon Short Line Railroad; thence Southeasterly along the right of way 85 rods, more or less, to the South boundary line of Section 20; thence West 25 rods, more or less, to the Place of Beginning.

PARCEL NO. 2:**TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN, Bear Lake County, Idaho:****Section 29: S $\frac{1}{2}$. EXCEPT: That portion lying East of the Railroad.**

ALSO EXCEPT: All that portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 29, Township and Range aforesaid, lying westerly of the Bear River.

TOGETHER WITH any and all oil, gas and mineral rights.**PARCEL NO. 3:****TOWNSHIP 12 SOUTH, RANGE 44 EAST, BOISE MERIDIAN, Bear Lake County, Idaho:****Section 30: The NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Northerly and Easterly of the Bear River.**

Section 30: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Southeasterly of the Bear River as said river now exists.

Section 31: All that portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ lying North and Easterly of the Bear River.

PARCEL NO. 4:

Two parcels of land situate in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 33, and in the NE $\frac{1}{4}$ of Section 32, all in Township 12 South, Range 44 East, Boise Meridian, Bear Lake County, Idaho, more particularly described as follows:

1. All that portion of the said W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 33 situate Southwesterly of the 200 foot wide railroad corridor granted to the Oregon Short Line Railroad by United States Act of

Date: 01/19/2022

Warranty Deed
- continued

File No.: 1020305-MON (ab)

Congress dated March 3, 1875, as per map approved October 9, 1882, being the same as the first-described of the 2 tracts described in that certain Warranty Deed dated May 31, 1905 from Jacob A. Jones and Lavern M. Jones, husband and wife, to Oregon Short Line Railroad Company, filed for record in the said County on June 24, 1905 and recorded in Book 11 of Deeds at page 317.

EXCEPTING THEREFROM that portion described in Deed dated February 22, 1999 from the Union Pacific Railroad to Glen Bartschi and LaRae Bartschi; recorded in the said County on February 24, 1999 as Instrument No. 171958, described as follows:

That part of the W $\frac{1}{2}$ of Section 33 and the E $\frac{1}{2}$ of Section 32, Township 12 South, Range 44 East, Bear Lake County, Idaho, described as follows:

Beginning at a point at a fence corner, North 54°53'14 East 38.33 feet of the Southwest Corner of said Section 33 as established this survey; thence along the Easterly Right of Way fence of a roadway as follows: North 00°26'58 West 1871.69 feet to a point; North 05°56'49 West 196.01 feet to a point; North 16°43'31 West 1408.48 feet to a point at the intersection with the Southerly Right of Way fence of a roadway, and leave said Easterly fence; thence North 67°47'54 East 809.31 feet along an existing fence, more or less, to a point at the intersection with the Westerly Right of Way fence of the Oregon Short Line Railroad; thence along said Westerly Right of Way fence as follows: South 28°55'39 East 169.3 feet to a point on the line parallel with and offset Westerly 50.00 of the centerline of the Oregon Short Line Railroad Main Line as it is depicted and identified on the railroad maps; South 21°31'00 East 699.03 feet along said parallel line to a point; South 20°59'39 East 480.77 feet to a point; South 20°59'06 East 875.48 feet to a point; South 21°46'15 East 1297.95 feet to a point; South 25°55'20 East 87.92 feet to a point on said parallel line; South 21°31'00 East 396.02 feet along said parallel line, to a point at the intersection with the Northerly Right of Way fence of the Old Bern Road; and leave said Westerly fence; thence South 89°53'42 West 1798.30 feet along said Northerly fence to the Point of Beginning.

2. All that portion of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 situate Southwesterly of the said 200 foot wide railroad corridor granted to the Oregon Short Line Railroad Company by United States Act of Congress dated March 3, 1875, as per map approved October 9, 1882, being the same tract described in the Quit Claim Deed dated January 11, 1909 from William E. Critzer and L. May Critzer, husband and wife, to Oregon Short Line Railroad Company, filed for record in the said County on February 10, 1909 and recorded in Book 14 of Deeds at page 181.

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Date: 01/19/2022

Warranty Deed
- continued

File No.: 1020305-MON (ab)

South 20°59'06 East 875.48 feet to a point; South 21°46'15 East 1297.95 feet to a point; South 25°55'20 East 87.92 feet to a point on said parallel line; South 21°31'00 East 396.02 feet along said parallel line, to a point at the intersection with the Northerly Right of Way fence of the Old Bern Road; and leave said Westerly fence; thence South 89°53'42 West 1798.30 feet along said Northerly fence to the Point of Beginning.

ALSO EXCEPTING THEREFROM that portion described in Warranty Deed dated February 28, 1980 from Donald D. Hennings and Marie A. Hennings, husband and wife, to Rodney H. Boehme and Jeneane C. Boehme, husband and wife, recorded in the said County on February 29, 1980 as Instrument No. 121204, described as follows:

Section 32: Commencing at the Southeast corner of Section 32, Township 12 South, Range 44 East of the Boise Meridian and running thence West to the SW corner of Section 32, thence North to the NW corner of Section 32; thence East 4288 feet; thence South 16°48'40 East 3430.10 feet; thence South 1996.5 feet to the Place of Beginning.

PARCEL NO. 5:

TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN, Bear Lake County, Idaho:

Section 31: Commencing at the Northeast corner of the SE¼ of Section 31, and running thence South on the Section line 1020 feet, thence West 450 feet; thence North 25°30' East 330 feet; thence North 17°35' East 380 feet; thence North 360 feet; thence East 193 feet to the Place of Beginning.

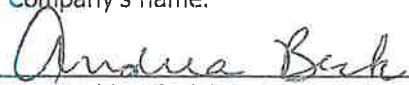
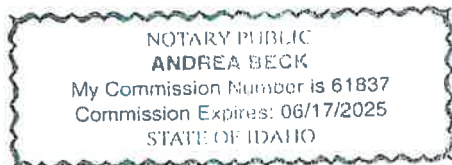
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SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner In fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: **01/19/2022**Warranty Deed
- continuedFile No.: **1020305-MON (ab)**Rockin G Ranch, LLC, an Idaho limited liability
companyBy: Name: Dave Garside
Title: ManagerSTATE OF Idaho)
SS.
COUNTY OF Bear Lake)

On this 20th day of **January, 2022**, before me, a Notary Public in and for said State, personally appeared **Dave Garside**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Rockin G Ranch, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.


Notary Public of Idaho
Residing at: Ovid, ID
Commission Expires: 6/17/2025

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
469 Washington St
Montpelier, ID 83254

This document has been recorded electronically. Please see the attached copy to view the County Recorder's stamp as it now appears in the public record

Date: 1-21-2022 Instrument No.: 237596
Submitted by First American Title Company

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1020305-MON (ab)**

Date: **January 19, 2022**

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Section 29: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; & W $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPT: All that portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ lying East of the Railroad Right of Way.

ALSO: Commencing at the Southeast Corner of the Southwest Quarter of Section 20, Township 12 South, Range 44 East of the Boise Meridian, Idaho; thence West 80 rods; thence North 80 rods; thence East 80 rods, more or less, to the right of way of the Oregon Short Line Railroad; thence Southeasterly along the right of way 85 rods, more or less, to the South boundary line of Section 20; thence West 25 rods, more or less, to the Place of Beginning.

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TOGETHER WITH any and all oil, gas and mineral rights.

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Section 32: Commencing at the Southeast corner of Section 32, Township 12 South, Range 44 East of the Boise Meridian and running thence West to the SW corner of Section 32, thence North to the NW corner of Section 32; thence East 4288 feet; thence South 16°48'40 East 3430.10 feet; thence South 1996.5 feet to the Place of Beginning.

PARCEL NO. 5:

TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN, Bear Lake County, Idaho:

Section 31: Commencing at the Northeast corner of the SE¼ of Section 31, and running thence South on the Section line 1020 feet, thence West 450 feet; thence North 25°30' East 330 feet; thence North 17°35' East 380 feet; thence North 360 feet; thence East 193 feet to the Place of Beginning.

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SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: **01/19/2022**

Warranty Deed
- continued

File No.: **1020305-MON (ab)**

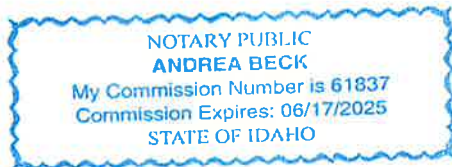
Rockin G Ranch, LLC, an Idaho limited liability company

By: 

Name: Dave Garside
Title: Manager

STATE OF Idaho)
COUNTY OF Bear Lake)

On this 20th day of January, 2022, before me, a Notary Public in and for said State, personally appeared **Dave Garside**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Rockin G Ranch, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.




Notary Public of Idaho
Residing at: Ovid, ID
Commission Expires: 6/17/2025

AFTER RECORDING MAIL TO:

Smith Legacy Ranch, LLC
515 E. Payson Canyon Road
Payson, UT 84651

QUITCLAIM DEED

File No.: **1020305-MON (ab)**

Date: **January 19, 2022**

For Value Received, **Rockin G Ranch, LLC, an Idaho limited liability company**, do(es) hereby convey, release, remise, and forever quit claim unto **Smith Legacy Ranch, LLC, a Utah limited liability company**, whose address is **515 E. Payson Canyon Road, Payson, UT 84651**, herein after called the Grantee, the following described premises situated in **Bear Lake County, Idaho**, to-wit:

Township 12 South, Range 44 East of the Boise Meridian, in Idaho:

Section 29: All that portion of the SE1/4NE1/4 lying West of the Railroad Right of Way.

together with its appurtenances.

Dated: 1/20/22



Dave Garside, Manager

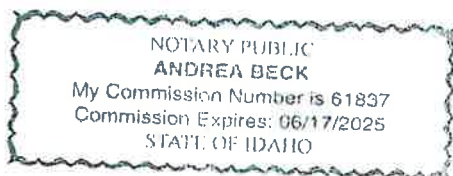
APN: 03163

Quitclaim Deed - continued

File No.: 1020305-MON (ab)
Date: 01/19/2022

STATE OF Idaho)
COUNTY OF Bear Lake)

On this 20th day of January, 2022, before me, a Notary Public in and for said State, personally appeared **Dave Garside**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Rockin G Ranch, LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.




Notary Public of Idaho
Residing at: Ovid, ID
Commission Expires: 6/17/2025

This document has been recorded electronically. Please see the attached copy to view the County Recorder's stamp as it now appears in the public record.

AFTER RECORDING MAIL TO:

Date: 1-21-2022 Instrument No.: 237597
Submitted by: First American Title Company

Smith Legacy Ranch, LLC
515 E. Payson Canyon Road
Payson, UT 84651

QUITCLAIM DEED

File No.: **1020305-MON (ab)**

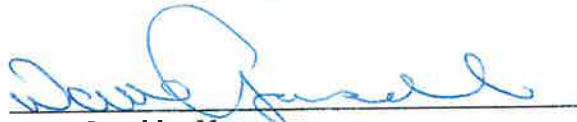
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For Value Received, **Rockin G Ranch, LLC, an Idaho limited liability company**, do(es) hereby convey, release, remise, and forever quit claim unto **Smith Legacy Ranch, LLC, a Utah limited liability company**, whose address is **515 E. Payson Canyon Road, Payson, UT 84651**, herein after called the Grantee, the following described premises situated in **Bear Lake County, Idaho**, to-wit:

Township 12 South, Range 44 East of the Boise Meridian, in Idaho:
Section 29: All that portion of the SE1/4NE1/4 lying West of the Railroad Right of Way.

together with its appurtenances.

Dated: 1/20/22


Dave Garside, Manager

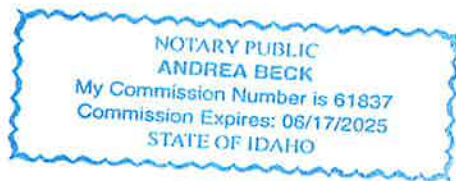
APN: 03163

Quitclaim Deed - continued

File No.: 1020305-MON (ab)
Date: 01/19/2022

STATE OF Idaho)
SS.
COUNTY OF Bear Lake)

On this 20th day of January, 2022, before me, a Notary Public in and for said State, personally appeared **Dave Garside**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Rockin G Ranch, LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.





Notary Public of Idaho
Residing at: Ovid, ID
Commission Expires: 6/17/2025



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 07, 2022

SMITH LEGACY RANCH
515 E PAYSON CANYON RD
PAYSON UT 84651-5670

Re: Change in Ownership for Water Right No(s): 11-4033A, 11-4033B

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 Barg
Technical Records Specialist 1

Enclosure(s)

cc: WESTERN AGCREDIT PCA
WATER DISTRICT 11