

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 03 2021

DEPT OF WATER RESOURCES
SOUTHERN 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?
45-293	Yes ☐	Yes ☐	45-13752	Yes ☐	Yes ☐
45-4158	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-7608	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-10493	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-13751	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bennie Smyer
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Robert T. and Heather Mortensen
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- ~~214 Water Tower Circle~~ PO Box 96 Albion ID 83311-0096
Mailing address City State Zip
208-869-2141 hmmortensen@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: August 30, 2021
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 # 45-293

8. Signature: Robert Troy Mortensen owner Sept 3 2021
Signature of new owner/claimant Title, if applicable Date
Robert Troy Mortensen
Print name

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

For IDWR Office Use Only:

Received by DM Date 9-3-2021 Receipt No. 5038816 Receipt Amt. \$150-
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 _____ Processed by JB Date 9-14-2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
417 N. Overland Ave.
Burley, ID 83318

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
12:33:56 PM 08-31-2021
2021-004468
NO. PAGES: 4 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: EV
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **979031RU (tm)**

Date: **July 27, 2021**

For Value Received, **Lonesome Dove, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Robert T. Mortensen and Heather Mortensen, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **214 Water Tower Circle, Albion, ID 83311**, the following described premises, situated in **Cassia County, Idaho**, to-wit:

Part of the W $\frac{1}{2}$ of Section 15 AND Part of the SE $\frac{1}{4}$ of Section 16 in Township 12 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Southeast Corner of Section 16 in T. 12 S. , R.25 E., B. M. said corner marked by a 5/8" rebar with 2" aluminum cap; Thence North 00 degrees 00 minutes 19 seconds West along the east line of Section 16 for a distance of 25.91 feet to a 1/2" rebar on the northeasterly right of way of State Highway 77 which shall be the Point of Beginning;

THENCE along said right of way along a curve to the left for a distance of 131.45 feet to a 1/2" rebar, said curve having a radius of 1186.00 feet, a delta angle of 06 degrees 21 minutes 01 seconds, and a long chord bearing of North 39 degrees 09 minutes 31 seconds West for a distance of 131.38 feet;

THENCE North 03 degrees 51 minutes 00 seconds East for a distance of 2518.46 feet to a 1/2" rebar;

THENCE South 89 degrees 47 minutes 02 seconds West for a distance of 86.38 feet to a U.S. G.L.O. iron pipe with brass cap at the West 1/4 Corner of Section 15;

THENCE North 00 degrees 02 minutes 40 seconds East along the west line of Section 15 for a distance of 2569.01 feet to a 5/8" rebar with 3" aluminum cap at the Northwest Corner of Section 15;

THENCE North 89 degrees 49 minutes 00 seconds East along the north line of Section 15 for a distance of 2661.90 feet to a U.S. G.L.O. iron pipe with brass cap at the North 1/4 Corner of Section 15;

THENCE South 00 degrees 18 minutes 52 seconds West along the east line of the W $\frac{1}{2}$ of Section 15 for a distance of 5229.17 feet to a U.S. G.L.O. iron pipe with brass cap at the South 1/4 Corner of Section 15;

THENCE North 89 degrees 45 minutes 12 seconds West along the south line of Section 15 for a distance of 2616.62 feet to the northeasterly right of way of State Highway 77;

THENCE along said right of way along a curve to the left for a distance of 31.81 feet, said curve having a radius of 1186.00 feet, a delta angle of 01 degrees 32 minutes 12 seconds, and a long chord bearing of North 35 degrees 12 minutes 49 seconds West for a distance of 31.81 feet to the Point of Beginning.

Date: **07/27/2021**

Warranty Deed
- continued

File No.: **979031RU (tm)**

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: 07/27/2021

Warranty Deed
- continued

File No.: 979031RU (tm)

Lonesome Dove, LLC, an Idaho limited liability
company

By: [Signature]
Name: Darren Smyer
Title: Member

By: [Signature]
Name: Roxanne Gillette
Title: Member

By: [Signature]
Name: Ricky Louis Smyer
Title: Member

By: [Signature]
Name: Dennie Lee Smyer
Title: Member

STATE OF Idaho)
COUNTY OF Minidoka)
ss.

On this 30th day of ~~July~~ ^{August}, 2021, before me, a Notary Public in and for said State, personally appeared **Roxanne Gillette**, 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 **Lonesome Dove, 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 **she** executed the same in said Limited Liability Company's name.

TERRI MCBRIDE
COMM NO. 15762
NOTARY PUBLIC
STATE OF IDAHO

[Signature]
Notary Public of Idaho
Residing at: [Signature]
Commission Expires: 1-16-26

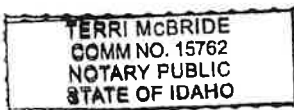
Date: 07/27/2021

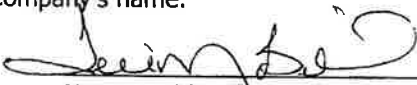
Warranty Deed
- continued

File No.: 979031RU (tm)

STATE OF Idaho)
SS.
COUNTY OF Minidoka)

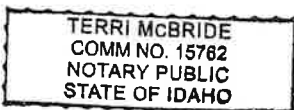
On this 30th ^{August} day of ~~July~~, 2021, before me, a Notary Public in and for said State, personally appeared **Darren Smyer**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Lonesome Dove, LLC**, which is known 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.

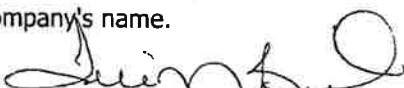



Notary Public of Idaho
Residing at: Repa
Commission Expires: 1-16-26

STATE OF Idaho)
SS.
COUNTY OF Minidoka)

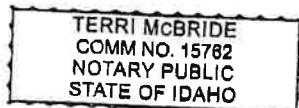
On this 30th ^{August} day of ~~July~~, 2021, before me, a Notary Public in and for said State, personally appeared **Ricky Louis Smyer**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **Lonesome Dove, LLC**, which is 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.

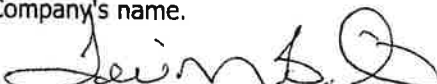



Notary Public of Idaho
Residing at: Repa
Commission Expires: 1-16-26

STATE OF Idaho)
SS.
COUNTY OF Minidoka)

On this 30th ^{August} day of ~~July~~, 2021, before me, a Notary Public in and for said State, personally appeared **Dennie Lee Smyer**, 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 **Lonesome Dove, 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: Repa
Commission Expires: 1-16-26



0004085078

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***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 #: 0004085078

Date Filed: 12/3/2020 10:34:32 AM

Entity Name and Mailing Address:

Entity Name: Lonesome Dove LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0003411051
Address: PO BOX 573
ALBION, ID 83311-0573

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: Darren Smyer
Registered Agent
Physical Address
327 WHITMAN
ALBION, ID 83311
Mailing Address
P O BOX 573
ALBION, ID 83311

Limited Liability Company Managers and Members

Name	Title	Business Address
 Darren Smyer	Manager	DARREN SMYER 327 WHITMAN ST ALBION, ID 83311

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

Darren Smyer

Sign Here

12/03/2020

Date

Job Title: Manager

BU001-2132 12/03/2020 10:34 AM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 14, 2021

ROBERT & HEATHER MORTENSEN
PO BOX 96
ALBION ID 83311-0096

Re: Change in Ownership for Water Right No(s): 45-4158, 45-293, 45-7608, 45-10493, 45-13751, and 45-13752

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) 293-9909.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-45F