

RECEIVED

AUG 27 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-10271	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: SIDNEY H. ELIASON JR TRUST
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 ☐ and/or
- 1855 MADISON AVE IDAHO FALLS ID 83404
Mailing address City State ZIP
- 208 381-2269 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: _____
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: [Signature] PRESIDENT 7/27/21
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by CAH Date 8/21/21 Receipt No. E047305 Receipt Amt. \$25.00

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 JB Processed by JB Date 9/1/2021

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 23-10271

Current Owner: SIDNEY H ELIASON JR TRUST
Priority Date: 8/20/1890
Origin: Water Right
Status: Active
Basis: Decreed

Source

PALISADES CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

06/01 to 09/30

Diversion Rate

0.47 CFS

Annual Volume

Total Diversion

0.47 CFS

Location of Point(s) of Diversion

PALISADES CREEK

NW1/4SW1/4SE1/4

Sec. 26, Twp 01N, Rge 44E B.M.

BONNEVILLE County

Place of Use

IRRIGATION Within BONNEVILLE County

T01N R44E S35 Lot 4 SENE 23.00

Total Acres: 23

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Decreed Date: 10/21/2004

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Instrument # 1684477
Bonneville County, Idaho Falls, Idaho
05/03/2021 11:28:58 AM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Dwoolf
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 961744-RI (ss)

Date: April 29, 2021

msf

For Value Received, **Elizabeth Eliason, Successor Trustee of The Sidney H Eliason Jr. Trust, dated October 12, 1995**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Landmark Properties LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **1855 Madison Avenue, Idaho Falls, ID 83404**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 44, EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO; RUNNING THENCE SOUTH 00°04'46" EAST ALONG THE SECTION LINE 2648.46 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE WEST 337.16 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 26; THENCE NORTH 35°51'00" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 3014.49 FEET TO THE TRUE POINT OF BEGINNING; RUNNING THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; NORTH 35°51'00" WEST 133.75 FEET TO A POINT OF CURVE WITH A RADIUS OF 2901.64 FEET AND A CHORD BEARING NORTH 42°24'28" WEST 662.77 FEET; THENCE TO THE LEFT ALONG SAID CURVE 664.21 FEET THROUGH A CENTRAL ANGLE OF 13°06'56"; THENCE NORTH 38°11'00" EAST 1173.30 FEET; THENCE EAST 575.65 FEET; THENCE SOUTH 00°01'00" EAST 1518.00 FEET; THENCE SOUTH 89°51'00" WEST 776.10 FEET TO THE POINT OF BEGINNING.

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.

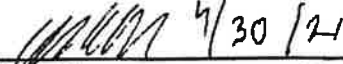
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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: 04/29/2021

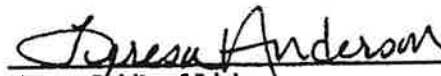
Warranty Deed
- continued

File No.: 961744-RI (ss)

The Sidney H Eliason Jr. Trust


Elizabeth Ellason, Successor TrusteeSTATE OF Idaho)
COUNTY OF Jefferson)
SS.

On this **Thirtieth day of April, 2021**, before me, a Notary Public in and for said State, personally appeared **Elizabeth Ellason**, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as Successor Trustee of the **The Sidney H Eliason Jr. Trust, dated October 12, 1995 Trust**, and acknowledged to me that she executed the same as such Successor Trustee.


Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 1-3-23
Rigby, Id
7-1-23

Water Right

IRRIGATION

Map center is in T01N R44E

The USDA FSA Aerial Photography Field Office is to be credited in derived products.

Map center is in T01N R44E

The USDA-FSA Aerial Photography Field Office is to be credited in all products.



0 0.0275 0.055 0.11 0.165 0.22
Miles

Legend

- ☐ Place of Use Boundary
☒ Townships
☐ PLS Sections
☐ Quarter Quarters



State of Idaho
Department of Water Resources

Water Right

23-10271

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0004151104



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 #: 0004151104

Date Filed: 2/3/2021 6:13:17 AM

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 IDAHO FALLS, ID 83404

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

Job Title: President

Mark Freeman

02/03/2021

Sign Here

Date

B0579-4160 02/03/2021 6:13 AM Received by ID Secretary of State Lawrence Denney



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 01, 2021

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

Re: Change in Ownership for Water Right No(s): 23-10271

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: WATER DISTRICT 01