RECEIVED

MAR 2 7 2020

# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resourc 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.

Leased to Water

	Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
	29-4212	Yes 🔲	Yes 🗌		Yes 🗆	Yes 🗆
	29-7639 0	Yes 🗌	Yes 🗌		Yes 🗌	Yes 🔲
		Yes 🗌	Yes 🗌		Yes 🗆	Yes 🗆
		Yes 🗌	Yes 🗌		Yes 🗆	Yes 🗆
		Yes 🗌	Yes 🗌		Yes 🗌	Yes 🗆
2.	Previous Owner's Name: Home Hotel & Motel, LLC					
•	N 0 ()/01 :()	Name of current water right holder/claimant Owner(s)/Claimant(s): Sorensen's Home Hotel, LLC				
				and or and/or		
	1952 W. 820 N.			OVO	_	84601
	Mailing address		City			ZIP
	801-380-4134			y@brsutah.com		
	Telephone		Ema	il		
4.	- Service of the serv					
	☐ The water rights or clai	ms were divi	ded as specifically iden	ntified in a deed, contract, or ot	ther conveyar	nce 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: March 2020					
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 <u>IRS Form W-9</u> 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 <u>Lessor Designation</u> 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).					
<ol> <li>8.</li> </ol>	□ A copy of the convey document must include     □ Plat map, survey map and/or claim listed above     □ Filing fee (see instruction of \$25 per undivide of \$100 per split was of No fee is required.     □ If water right(s) are lease IRS Form W-9.  Signature:	1 1 0				
	Signature of new	owner/claimar		e, if applicable	Ī	Date
	Signature: Signature of Four	2.VEAU		ember		
	Signature of new	owner/claimar	u Titl	e, if applicable	Ι	Date
For IDWR Office Use Only:						
	Receipted by Ct Date 3 27 2020 Receipt No. E045776 Receipt Amt. \$50.00					
	Active in the Water Supply Bank?	Yes No	1000000000	to the State Office for processing		9 received? Yes No
	Name on W-9		Approved by	Processed by	Dat	6 6 2 20

# RECEIVED

# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

MAR 2 7 2020

Department of Water Resources Eastern Region

# ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Home Hotel & Motel, LLC	_, hereby assign to Sorensen's Home Hotel, LLC		
Current applicant of, 1952 W. 820 N., Provo, UT 84601	New applicant(s)		
New owner's address including city, state and	1 ZIP Phone		
All my right, title, and interest in and to Applic	eation for Permit No(s) · 29-4212 and 29-7639		
to appropriate the public waters of the State of			
OR (for partial assignments)			
The following described portion of my right, ti	tle, and interest in and to Application for Permit No(s).:		
	, to appropriate the public waters of the State of Idaho.		
Describe in detail the portion of the application subdivision, point of diversion location, and an	n for permit assigned, listing the number of acres in each 40 acre mount of the water in cubic feet per second.		
Does the new applicant own the property at the Point of diversion? Yes No Place of use? Yes No No	ew applicant to access the point of diversion and/or the place of use:		
Dated this 20th day of March  An trong Scatt Pearing  Signature of current applicant Title (if applicant)			
and (in ap)	signature of earliest applicant.		
State of Idaho  County of Barrock  On this 20th day of March instrument, who duly acknowledged to me that he/s	_, 20_20_, personally appeared before me the signer(s) of the above he/they executed the same.		
SEAL MELISSA RASCHKE COMMISSION #25470 NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 02/05/2028	Notary Public  My commission expires: 2/5/2026		

OFFICIAL RECORD BK# 0
BANNOCK COUNTY IDAHO

FEE 15.00 DEPUTY JB RECORDED AT REQUEST OF

First American Title - Pocatello

TA-877838

22004819 2020 Mar 24 PM 02:33 Electronically Recorded by Simplifile

# **GRANT DEED**

THIS INDENTURE is made this day of March, 2020, by Home Hotel & Motel, LLC. an Idaho limited liability company whose mailing address is P.O. Box 67, Lava Hot Springs. ID 83246, "Grantor," and Sorensen's Home Hotel, LLC, an Idaho limited liability company whose mailing address is 306 E. Main Street, Lava Hot Springs, Idaho 83246, "Grantee."

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto Grantee in the percentage interest as outlined above, and to Grantee's heirs and assigns forever, all of the following described property in the County of Bannock, State of Idaho, to wit:

### SEE EXHIBIT "A"

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, in law as well as in equity, of Grantor.

TO HAVE AND TO HOLD, the premises and the appurtenances unto Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

[Signatures to follow]

Instrument: 22004819 Page:0

IN WITNESS WHEREOF, Grantor has executed the within instrument the day and year first above written.

HOME HOTEL & MOTEL, LLC, an Idaho limited liability company, Grantor

By: Marcy E. Pearhill, Manager

STATE OF IDAHO

) ss:

COUNTY OF BANNOCK

On the John day of March, 2020, before me, a Notary Public in and for the State of Idaho, personally appeared Marcy E. Pearhill, Manager of Home Hotel & Motel, LLC, an Idaho limited liability company, known or identified to me to be the person whose name is subscribed to the within Grant Deed, and acknowledged to me that she executed the same on behalf of said entity

MELISSA RASCHICE COMMISSION #25470 NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 02/05/2028

NOTARY PUBLIC

Commission Expires:

(seal)

Instrument: 22004819 Page:0

HOME HOTEL & MOTEL, LLC, an Idaho limited liability company, Grantor

STATE OF IDAHO

) ss:

COUNTY OF BANNOCK

On the 20th day of March, 2020, before me, a Notary Public in and for the State of Idaho, personally appeared ANTHONY SCOTT PEARHILL, Manager of Home Hotel & Motel, LLC, an Idaho limited liability company, known or identified to me to be the person whose name is subscribed to the within Grant Deed, and acknowledged to me that he executed the same on behalf of said entity.

MELISSA RASCHIKE COMMISSION #25470

NOTARY PUBLIC
Residing at: 1-001-ello
Commission Expires: 2/5/2026

(seal

# EXHIBIT "A" PROPERTY DESCRIPTION

#### PARCEL 15

A TRACT OF LAND LOCATED IN THE SEI/4SEI/4 OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET EAST FROM THE SOUTHEAST CORNER OF BLOCK 1, HALL'S FIRST ADDITION TO HALL CITY, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 1 OF PLATS, PAGE 48. RECORDS OF BANNOCK COUNTY, IDAHO, THENCE EAST ALONG THE NORTH BOUNDARY LINE OF MAIN STREET, 150 FEET; THENCE IN A NORTHERLY DIRECTION AT RIGHT ANGLES TO LAST DESCRIBED LINE A DISTANCE OF 110 FEET; THENCE IN A WESTERLY DIRECTION AT RIGHT ANGLES TO LAST DESCRIBED LINE TO EASTERLY BOUNDARY LINE OF THIRD AVENUE EAST A DISTANCE OF 150 FEET; THENCE IN A SOUTHERLY DIRECTION ALONG EAST BOUNDARY LINE OF THIRD AVENUE EAST, 110 FEET TO THE POINT OF BEGINNING.

#### PARCEL 2:

A TRACT OF LAND LOCATED IN THE SE1/4 SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST. BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 200 FEET EAST OF SOUTHEAST CORNER OF BLOCK I OF HALL'S FIRST ADDITION TO HALL CITY, WITHIN CITY LIMITS OF INCORPORATED VILLAGE OF LAVA HOT SPRINGS, COUNTY OF BANNOCK, STATE OF IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT OF SAID FIRST ADDITION TO HALL CITY, FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID BANNOCK COUNTY; RUNNING THENCE EAST 60 FEET, FOLLOWING NORTH SIDE OF MAIN STREET WHEN CONTINUED; THENCE AT RIGHT ANGLES NORTH 110 FEET; THENCE AT RIGHT ANGLES WEST 60 FEET; THENCE AT RIGHT ANGLES SOUTH 110 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH IDAHO WATER RIGHTS NOS. 29-4212 AND 29-7639 SUBJECT TO ANY NOTICE OF A SECURITY INTEREST IN SUCH RIGHTS NOW FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

# **GRANT DEED**

THIS INDENTURE is made effective the 1st day of July, 2010, between ROBERT E. RUSH and EVELEE HILL RUSH, husband and wife, of Bannock County, State of Idaho, the "Grantors," and HOME HOTEL & MOTEL, LLC, an Idaho limited liability company, whose mailing address is P. O. Box 129, Lava Hot Springs, ID 83246, the "Grantee."

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, have granted, and by these presents do grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Bannock, State of Idaho, to-wit:

See EXHIBIT "A" attached hereto and by this reference incorporated herein.

Together with water rights no. 29-4212 and 29-07639, but subject to the security interest in such rights in of Campbell,

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

FURTHER SUBJECT TO any existing encumbrances against the subject property which shall be assumed and paid by the Grantee.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.

STATE OF IDAHO

County of Bullock

On the 15 day of Sentember, 2010, before me, the undersigned notary public in and for said State, personally appeared ROBERT E. RUSH and EVELEE HILL RUSH, husband and wife, known or identified to me to be the person whose names are subscribed to the within Grant Deed, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day

and year in this certificate first above written.

(seal)

CELESTE PALMER NOTARY PUBLIC STATE OF IDAHO Notary Public

Residing at:

My Commission Expires:

BN#755 FEET DEPUTY PO Robert E Rush

21015405

2010 SEP 15 P 3: 22

21015405

### EXHIBIT "A"

### PARCEL 1:

A TRACT OF LAND LOCATED IN THE SE1/4SE1/4 OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET EAST FROM THE SOUTHEAST CORNER OF BLOCK 1, HALL'S FIRST ADDITION TO HALL CITY, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 1 OF PLATS, PAGE 48, RECORDS OF BANNOCK COUNTY, IDAHO, THENCE EAST ALONG THE NORTH BOUNDARY LINE OF MAIN STREET, 150 FEET; THENCE IN A NORTHERLY DIRECTION AT RIGHT ANGLES TO LAST DESCRIBED LINE A DISTANCE OF 110 FEET; THENCE IN A WESTERLY BOUNDARY LINE OF THIRD AVENUE EAST A DISTANCE OF 150 FEET; THENCE IN A SOUTHERLY DIRECTION ALONG EAST BOUNDARY LINE OF THIRD AVENUE EAST, 110 FEET TO THE POINT OF BEGINNING.

## PARCEL 2:

A TRACT OF LAND LOCATED IN THE SEI/4 SEI/4 SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 200 FEET EAST OF SOUTHEAST CORNER OF BLOCK 1 OF HALL'S FIRST ADDITION TO HALL CITY, WITHIN CITY LIMITS OF INCORPORATED VILLAGE OF LAVA HOT SPRINGS, COUNTY OF BANNOCK, STATE OF IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT OF SAID FIRST ADDITION TO HALL CITY, FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID BANNOCK COUNTY; RUNNING THENCE EAST 60 FEET, FOLLOWING NORTH SIDE OF MAIN STREET WHEN CONTINUED; THENCE AT RIGHT ANGLES NORTH 110 FEET; THENCE AT RIGHT ANGLES WEST 60 FEET; THENCE AT RIGHT ANGLES SOUTH 110 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH IDAHO WATER RIGHTS NOS. 29-4212 AND 29-7639 SUBJECT TO ANY NOTICE OF A SECURITY INTEREST IN SUCH RIGHTS NOW FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

S:\Cheryl'sMyFiles\SEM-Clients\1834\HomeHotel&Motel\Deed-Grant.wpd

3 - GRANT DEED

# SPECIAL WARRANTY DEED

For Value Received EXCHANGE 07-3860, LLC., an Idaho Limited Liability Company

Hereinaster called Grantor, hereby grants, bargains, sells and conveys unto Robert E. Rush and Evelee Hill Rush Purchaser

whose address is: P.O. Box 129, Lava Hot Springs, ID 83246

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

See Attached Exhibit "A"

Grantor does hereby covenant with Grantee, his heirs, successors and assigns, that Grantor will warrant and defend the said granted premises against the lawful claims and demands of all persons claiming by, through and under Grantor, but against no other claims and no other persons, including predecessors in title.

Dated: June 9, 2008

Exchange 07-3860, LLC., an Idaho Limited Liability Company

Exchange Services, Inc., Member

By: Shauna Romrell

It's: President

OFFICIAL RECORD BK# 9.

FIRST AMERICAN TITLE

STATE OF IDAHO

20812950

2000 JUNIO A 11: 43

COUNTY OF Bingham

On this 9th day of June, 2008, before me, the undersigned personally appeared Shauna Romrell, known or identified to me to be the President of the corporation who executed the instrument on behalf of said corporation as member of Exchange 08-3860, LLC, an Idaho Limited Liability Company, and acknowledged to me that she executed the same as President of the corporation, as member of Exchange 08-3860, LLC., an Idaho Aimited Liability Company.

Notary Putple 201.
Residing at Blackfoot
Papires 1111/2013

EXHIBIT "AT

#### PARCEL 1:

A TRACT OF LAND LOCATED IN THE SE1/4 SE1/4 OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT A POINT 50 FEET EAST FROM THE SOUTHEAST CORNER OF BLOCK 1, HALL'S FIRST ADDITION TO HALL CITY, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 1 OF PLATS, PAGE 48, RECORDS OF BANNOCK COUNTY, IDAHO, THENCE EAST ALONG THE NORTH BOUNDARY LINE OF MAIN STREET, 150 FEET; THENCE IN A NORTHERLY DIRECTION AT RIGHT ANGLES TO LAST DESCRIBED LINE A DISTANCE OF 110 FEET; THENCE IN A WESTERLY DIRECTION AT RIGHT ANGLES TO LAST DESCRIBED LINE TO EASTERLY BOUNDARY LINE OF THIRD AVENUE EAST A DISTANCE OF 150 FEET; THENCE IN A SOUTHERLY DIRECTION ALONG EAST BOUNDARY LINE OF THIRD AVENUE EAST, 110 FEET TO THE POINT OF BEGINNING.

#### PARCEL 2:

A TRACT OF LAND LOCATED IN THE SE1/4 SE1/4 SECTION 21, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT A POINT 200 FEET EAST OF SOUTHEAST CORNER OF BLOCK 1 OF HALL'S FIRST ADDITION TO HALL CITY, WITHIN CITY LIMITES OF INCORPORATED VILLAGE OF LAVA HOT SPRINGS, COUNTY OF BANNOCK, STATE OF IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT OF SAID FIRST ADDITION TO HALL CITY, FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID BANNOCK COUNTY; RUNNING THENCE EAST 60 FEET, FOLLOWING NORTH SIDE OF MAIN STREET WHEN CONTINUED; THENCE AT RIGHT ANGLES WEST 60 FEET; THENCE AT RIGHT ANGLES SOUTH 110 FEET TO THE POINT OF BEGINNING.

# 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

Gary Spackman Director

June 02, 2020

SORENSON'S HOME HOTEL LLC 1952 W 820 N PROVO UT 84601-1338

Re: Change in Ownership for Water Right No(s): 29-4212 and 29-7639

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: CAMPBELL INC

NORTH AVE CAPITAL LLC BEARD ST CLAIR GAFFNEY From:

Barg, Jonie

To:

"riley@brsutah.com"

Subject:

Ownership Change Sorensen"s Home Hotel LLC

Date:

Monday, March 30, 2020 10:47:00 AM

RE: Change in Ownership Water Right No. 29-4212 and 29-7639

# Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

\*\*\*\* Evidence of Water Right Ownership: the water rights listed above are active water rights 29-4212 (decreed) and 29-7639 (license) in order for the department to update the ownership for those water right an ownership change application (which was received) is required, however a copy of the 'recorded' deed indicating your ownership is also required. Please submit a copy of the recorded warranty deed or deeds indicating your ownership in the water rights or the property associated with those water right.

\*\*\*\* Application: Along with your ownership change an Assignment of Application for Permit was submitted for the water rights listed above, because those are active water rights an Assignment of Application for Permit cannot be complete. However while doing some research I did find an application for the same property associated with the water rights above that number is 29-8170 and the current owner is Home Hotel & Motel Inc. If that application should be updated, please submit an Assignment of Application for Permit to update the owner from Home Hotel & Motel Inc to Sorensen's Home Hotel LLC, listing application number 29-8170.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: <a href="https://www.idwr.idaho.gov">www.idwr.idaho.gov</a>.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jenie Barg

Jonie Barg Idaho Department of Water Resources 900 N Skyline Ste A Idaho Falls ID 83402 phone: (208) 525-7161

fax: (208) 525-7177

email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~