

WATER SUPPLY BANK LEASE CONTRACT

RECEIVED

AUG 31 2015

DEPARTMENT OF
WATER RESOURCES

This Lease Contract ("Lease") is effective between the Idaho Water Resource Board ("Board"), and

Lessor: SUMMIT TRUSTEES PLLC
708 E 1780 N
OREM UT 84097-7339
801-979-0387
utahinternational@gmail.com

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application on August 12, 2015 to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
25-14310	0.02 CFS	3.1 AF	NA	0.9 AC
Combined Lease Totals:	0.02 CFS	3.1 AF	NA	0.9 AC

The water rights described herein shall be available for rental from the Bank as follows:

Authorized Period of Use under Lease: April 1 to November 1

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2019.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

SUMMIT TRUSTESS PLLC

708 E 1780 N
OREM UT 84097-7339

By

Printed Name


Stephen D Smoot

Date

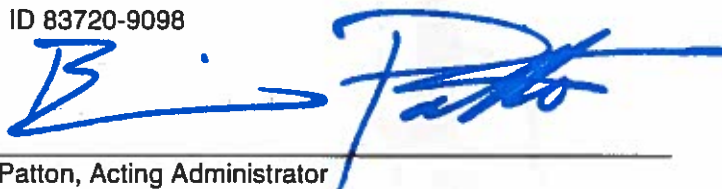
August 28, 2015
Member/Authorized Signatory

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

By

Brian Patton, Acting Administrator
Idaho Water Resource Board



Date

8/31/2015

Lease approved by IDWR



Date

8-31-2015

ATTACHMENT A
WATER RIGHT NO. 25-14310
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: SUMMIT TRUSTESS PLLC
 708 E 1780 N
 OREM UT 84097-7339
 801-979-0387

Priority Date: 08/10/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.02 CFS	3.1 AF
	Total:		0.02 CFS	3.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼NE¼ Sec. 30, Twp 02N, Rge 39E, BONNEVILLE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	39E	30			0.9														0.9

Total Acres: 0.9

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

RECEIVED

AUG 12 2015

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Incomplete applications will be returned to applicants for completion.**

Designated Applicant Summit Trustees PLLC
(Select one owner – see item 1A on the application)

Water Right No. 25-14310
(One water right per application)

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

- ☒ Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

Attachment N/A YES

- | | | | |
|----|-------------------------------------|-------------------------------------|--|
| 1A | ☐ | ☒ | Contact information for <i>all owners</i> of the water right that is being leased or sold on this application. |
| 1B | | ☒ | An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant. |
| 1C | ☐ | ☒ | <i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov). |
| 1D | ☒ | ☐ | Written consent from irrigation district or water delivery company. |
| 1E | ☒ | ☐ | Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| 2 | ☐ | ☒ | Description of a water right portion offered to the Water Supply Bank. |
| 3E | ☐ | ☒ | Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code . |
| 4 | | ☒ | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov . |

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>dj</u>	Date Received: <u>8-12-15</u>	Receipt # <u>C100874</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Summit Trustees PLLC</u>	

PO Box 111
Smoot WY 83126

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

1. CONTACT INFORMATION

- A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Summit Trustees PLLC Email Address utahinternational@gmail.com
Mailing Address 6250 E Partridge Way, Ammon, ID 83406 Phone Number 8019790387

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the designated applicant completed an IRS Form W-9 (Attachment 1B)? Yes ☒ No ☐

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☐ No ☒
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 1D).

E. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1E).

Name of Representative Stephen H Smoot Organization Summit Trustees PLLC
Professional Title Member/Director Email Address utahinternational@gmail.com
Mailing Address 6250 E Partridge Way, Ammon, ID 83406 Phone Number 8019790387

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

Water Right Number 25-14310 ☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.
(If a portion of a water right is being offered, complete Attachment 2)

3. GENERAL INFORMATION

A. Please provide a description of the current water diversion system.
Currently, water is provided by Ammon City to owners lot. However, to allow for more time to designate a final use point of diversion, applicant is requesting to lease this water right to the Water Supply Bank for up to 5 years.

B. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank.
None

C. Are any of the water rights identified in question 3B stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are water rights that are utilized together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

D. Will the present place of use continue to receive water from any other source? Yes ☒ No ☐

If yes, describe. Water from Ammon City provides water for my home and sprinklers for yard.

E. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☒ No ☐

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to [Section 42-222\(2\), Idaho Code](#). Application to avoid forfeiture was approved and can be found in the Water Report attached.

F. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe. _____

4. MAP

Plat map, survey map, or aerial photograph clearly showing the specific acres proposed to be idled by this lease application.

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

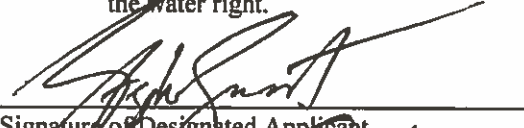
If lease, specify the years when the use of water will be suspended: 2015 to 2020 (maximum lease period 5 years).
(Year) (Year)

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
Current Rental Rate _____

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

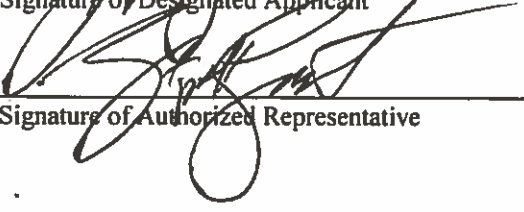
The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.


Signature of Designated Applicant

Stephen H. Smoot
Printed Name

8-11-15
Date


Signature of Authorized Representative

Stephen H. Smoot
Printed Name

8-11-15
Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

8/2/2015

WATER RIGHT NO. 25-14310

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID MARLOWE
Current Owner	DAWN MARLOWE
	6250 PARTRIDGE WAY
	IDAHO FALLS, ID 83401
	(208)522-3192
Original Owner	ZEE M MC DANIEL
	1677 S FOOTHILL RD
	IDAHO FALLS, ID 83401
	(208)522-9148

Priority Date: 08/10/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.02 CFS	3.1 AFA
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENE|Sec. 30|Township 02N|Range 39E|BONNEVILLE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	39E	30		SWNE	0.9									

Total Acres: 0.9

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/30/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 1, 2015

SUMMIT TRUSTEES PLLC
708 E 1780 N
OREM UT 84097-7339

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 25-14310

Dear Lessor:

Water Right 25-14310 was leased into the Water Supply Bank in accordance with the executed original Lease Contract enclosed. **Your water right as described on the Lease Contract is considered leased into the Bank and should remain unused until it is formally released from the Bank.**

The right will automatically be released from the Bank on **December 31, 2019**, unless the right is released earlier by the Board, or upon your request. **Please note your right may not be available for immediate release if it has been rented.** To release the right from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available from our public website at www.idwr.idaho.gov.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: IDWR Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

August 24, 2015

GARY SPACKMAN

Director

SUMMIT TRUSTEES PLLC
708 E 1780 N
OREM UT 84097-7339

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 25-14310 TO THE WATER SUPPLY BANK

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right(s) to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

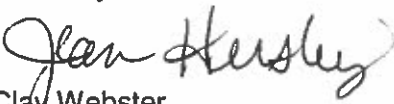
The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,


for Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

MEMORANDUM

To: Water Right No(s). 25-14310
From: Jean Hersley
Date: August 17, 2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: This application was received on August 12, 2015. The applicant wishes to place the entire right in the Bank. 0.02 cfs, 3.1 af and 0.9 acres. The parcel receives water from the City of Ammon.

AUTHORITY TO FILE: Stephen Smoot, member, signed the application.

WATER RIGHT VALIDITY: Parent right 25-2151 was decreed in 2005. An extension of time to avoid forfeiture was approved on December 20, 2010 to expire in 2015. Forfeiture is not an issue.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are not subject any Water District at this time.

Hersley, Jean

From: Stephen Smoot <utahinternational@gmail.com>
Sent: Monday, August 17, 2015 12:30 PM
To: Hersley, Jean
Subject: Re: Water Supply Bank Lease Application for Water Right 25-14310 in the name of Summit Trustees PLLC
Attachments: Summit Trustees PLLC Articles of Organization C-1.pdf; Certificate of Organization.pdf

Dear Jean,

Please note that there are 2 companies named Summit Trustees PLLC.

One is incorporated in Idaho by Steven Brantley, our attorney (Certificate attached), the other in Utah by myself and Asael Sorensen, another attorney of ours (Certificate attached).

Both were set up for my wife and me.

However, the one in Utah owns the property at 6250 Partridge Way in Ammon.

When that property is finally free and clear, it will be transferred to the Idaho PLLC.

If you need anything else from me, please don't hesitate to ask.

Thanks,

Stephen Smoot

On Aug 17, 2015, at 12:03 PM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

The Department of Water Resources is in the process of reviewing your application to lease water right 25-14310 to the Water Supply Bank. As part of the review process, in the event the applicant is a company or organization, the Department verifies the person signing the application is affiliated with the Company. Stephen Smoot signed the application, however, I'm not able to connect him to Summit Trustees, PLLC via the Idaho Secretary of State business search.

The Department will need to know what authority Mr. Smoot has with the company. Please provide documentation within 7 days so the Department can continue processing for the 2015 irrigation season.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

ARTICLES OF ORGANIZATION

of

SUMMIT TRUSTEES PLLC

a Professional Limited Liability Company (PLLC)

Organized Under the Laws of the State of Utah

PREAMBLE

These Articles of Organization of a Professional Limited Liability Company (PLLC) (hereinafter called Articles) are made and entered into the date specified at the end hereof under the laws of the State of Utah, by and between the hereinafter named Members and Manager.

ARTICLE I

NAME AND LOCATION

The name of the Professional Limited Liability Company shall be SUMMIT TRUSTEES PLLC with its designated office at 708 East 1780 North, Orem, Utah 84097.

ARTICLE II

DURATION AND TERMINATION

This company shall continue for a period of ninety-nine (99) years from the date hereof, unless dissolved sooner.

ARTICLE III

PURPOSE

The purpose of the company shall be to act as a Trustee for custodial banking and trust services, Nominee Shareholder and Director in corporations and Limited Liability Companies, General Partner in Limited Partnerships; to do business under an assumed name; appoint and employ officers, agents, attorneys, and servants; act as a holding company or as Trustee for other organizations or individuals both foreign and domestic; open bank accounts and deposit and withdraw to and from the same; to purchase or otherwise acquire property, and to sell, exchange, lease, mortgage, pledge, or in any manner dispose of, encumber or deal with the assets of the company or any part thereof or any interest therein; manage real estate; distribute products; manufacture and deal in goods, wares, and merchandise, pharmaceuticals, incur indebtedness, borrow, or loan money with or without security, enter into contracts of all types, execute, accept, discount, negotiate, and deal in commercial paper, securities and evidences of indebtedness, execute conveyances, mortgages, leases, and any other instruments in writing; invest and reinvest funds of the company; compromise or settle any suits, claims or demands, or waive or release any rights, relating to the company's assets or business.

RECEIVED

APR 16 2004

UTAH STATE TAX COMMISSION
150 EAST CENTER
PROVO, UTAH 84606

ARTICLE IV

REGISTERED AGENT

The registered agent's name and address is:

Asael T. Sorensen, Attorney at Law
708 East 1780 North
Orem, Utah 84197

Registered Agent Acknowledgment:



Asael T. Sorensen, Attorney at Law

In the event the Registered Agent has resigned, the Agent's authority has been revoked, or the Agent cannot be found or served with the exercise of reasonable diligence, the Director of the Division of Corporations & Commercial Code is hereby appointed the Registered Agent of the company for service of process.

ARTICLE V

MANAGEMENT OF THE COMPANY

The Manager of the company shall be one of its members and shall be a licensed attorney with the State of Utah.

The Manager of the company is:

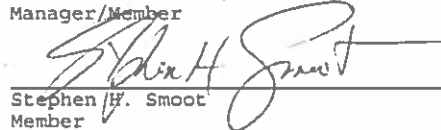
Asael T. Sorensen, Attorney at Law
708 East 1780 North
Orem, Utah 84097

We, the undersigned, have hereby formed and agreed to the above Articles of Organization this 16th day of April, 2004.

Signature of Manager and Members:



Asael T. Sorensen, Attorney at Law
Manager/Member



Stephen W. Smoot
Member

252



CERTIFICATE OF ORGANIZATION PROFESSIONAL LIMITED LIABILITY COMPANY

2014 AUG -1 AM 11:00

SECRETARY OF STATE
STATE OF IDAHO

(Instructions on back of application)

1. The name of the professional limited liability company is:

Summit Trustees, PLLC

2. The complete street and mailing addresses of the initial designated office:

5123 S Morrow St Boise ID 83709

(Street Address)

1877 W City Village Way Riverton UT 84065

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

A Better Registered Agent Service

(Name)

5123 S. Morrow Street, Boise, ID 83709

(Street Address)

4. The name and address of at least one member or manager of the professional limited liability company:

NameAddress

Steven D. Brantley

1877 W City Village Way, Riverton, UT 84065

5. Mailing address for future correspondence (annual report notices):

1877 W City Village Way, Riverton, UT 84065

6. Future effective date of filing (optional):

7. The limited liability company is a professional company, and the principal profession or professions for which members are duly licensed or otherwise legally authorized to render professional services is: Law

Signature of a manager, member or authorized person.

Signature

Typed Name: Steven D. Brantley

Signature

Typed Name:

Secretary of State use only

IDAHO SECRETARY OF STATE

08/01/2014 05:00

CK:2106170 CT:172099 BH:1435680

1@ 100.00 = 100.00 PROF LLC #2

1@ 20.00 = 20.00 EXPEDITE C #3

W 140615