

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Notice of Change in Water Right Ownership

Department of Water Resources
Eastern Region

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
22-13794	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Targhee Hill Estates Water Company

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Rhoda Simper

Name of each new owner as listed on the conveyance document

Clement Simper

New owner continued

Name connector

☒ and

☒ or

☐ and/or

2450 N 4000 W

Mailing address

Idonia

City

ID

State

83452

ZIP

307-380-6339

Telephone

rhodasimper@hotmail.com

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: June 21, 2012

6. 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.

7. Signature: Rhoda Simper

Signature of new owner/claimant

Title, if applicable

7-9-12

Date

Signature: Clement Simper

Signature of new owner/claimant

Title, if applicable

7-9-12

Date

For IDWR Office Use Only:

Received by: [Signature]

Date: 7/27/2012

Receipt No. E037847

Receipt Amt. \$25.-

Approved by: [Signature]

Processed by: [Signature]

Date: 7/30/2012

Total Acres: 30

Conditions of Approval:

1.		This right is a split from former right 22-13215 .
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.
3.	F01	Water is delivered through Waddell ditch.
4.	F15	The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM. The point of diversion shown above is where the conveyance system enters Idaho.
5.	E56	The rights listed below are limited to the irrigation of a combined total of 30 acres in a single irrigation season. Combined Right Nos.: 22-13794 & 22-13796.
6.	158	The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in the Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
7.	160	This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

Dates:

Licensed Date:

Decreed Date: 11/28/2008

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:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 30

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

Recorded at Request of:
Zions First National Bank

Mail tax notice to:

Alliance Title & Escrow Corp
149062

SPECIAL WARRANTY DEED
(Corporate Form)

ZIONS FIRST NATIONAL BANK, a National Banking Association ("Zions") organized and existing under the laws of the United States of America with its principal office at Salt Lake City, County of Salt Lake, State of Utah, grantor, hereby CONVEYS AND WARRANTS to:

Rhoda Simper and Clement Simper,
Husband and Wife

grantee
for the sum of TEN AND NO/100----- DOLLARS
AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract(s) of
land in Teton County, State of Idaho :

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO general property taxes for the year 2012 and thereafter.

This Special Warranty Deed specifically limits any warranties made by Zions with respect to the real property described herein, and Zions does not make any warranties with respect to such real property. Further this Special Warranty Deed is conveyed subject to all liens, leases, easements, restrictions, reservations and encumbrances, of every kind and nature whatsoever, of record discoverable from an inspection of the above-referenced property, or enforceable at law or in equity.

In witness whereof, the grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 21 day of June 2012

ZIONS FIRST NATIONAL BANK

By [Signature]
Kevin H. Shurtleff, Sr. Vice President

STATE OF UTAH)
:SS
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledge before me this 21 day of June 2012, by
Kevin H. Shurtleff, Sr. the Sr. V.P. of Zions First National Bank, a national
banking association.

My Commission Expires:
Residing At:



NOTARY PUBLIC
Sandra A. Johnson
583642
My Commission Expires
August 15, 2014
STATE OF UTAH



NOTARY PUBLIC
Sandra A. Johnson
583642
My Commission Expires
August 15, 2014
STATE OF UTAH

Exhibit A

A parcel of land located in Government Lot one of Section 29, the Northeast quarter of the Northwest quarter of Section 29, the South half of Government Lot four of Section 20 and the Southeast quarter of the Southwest quarter of Section 20, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho and more particularly described as follows:

BEGINNING at the Northeast corner of said Section 29, said corner is marked with a rebar and 2 inch aluminum cap (illegible); thence South $00^{\circ}27'38''$ East 121.27 feet along the East line of said Government Lot one of Section 29 to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North $89^{\circ}55'10''$ West 660.82 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence South $00^{\circ}27'38''$ East 503.93 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North $89^{\circ}49'37''$ West 1,277.94 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North $00^{\circ}27'35''$ West 622.63 feet to the North line of said Section 29 and a 1/2 inch rebar with no cap; thence continuing North $00^{\circ}27'35''$ West 289.23 feet to a 1/2 inch rebar with no cap; thence South $89^{\circ}55'10''$ East 1,938.76 feet to a 1/2 inch rebar with no cap and the East line of said Government Lot 4 of Section 20; thence South $00^{\circ}27'14''$ East 288.73 feet along the East line of said Government Lot 4 of Section 20 to the PONT OF BEGINNING.



S STATELINE RD

S Stateline Rd

SORENSEN WY

PERIMETER DR



STATE LINE ROAD Driggs, ID 83422

12-30 Building Site Expired \$297,000

Provided as a courtesy of

Ann Goodell

Sage Realty Group

189 North Main Street

Suite#100

Driggs, ID 83414

Office Phone - (208) 354-9955

Cell phone - (208) 317-8505

agoodell@sagerg.com



©2012 Teton Board of REALTORS

Acres: 33
Horses Allowed: 10+

Lot Size:**Horses Allowed:** Yes

Common Name:
Lot #:
Flood Class:
Tax Year: 2012

Area: 17 - Driggs Area
Zoning: Single Family
Ann. HOA Fee \$: 0
Possession: At Closing

Subdivision: None
Flood Zone: Out
Taxes: 109

In-House Listing #: A12-001**Legal Description:** A portion of sect. 29 Twp 5N, Rng 46 E, Teton County, Idaho

Public Remarks: This outstanding opportunity is located just 3 miles east of Driggs, Idaho and just 10 minutes to Grand Targhee Ski Area. There are two parcels totaling 33 acres originally part of Phase two of Targhee Hill Estates. Both parcels are relatively flat and perimeter-fenced with year-round access via State Line Road on the eastern border. The underlying zoning is Agricultural Small Increment and Rural Residential, which allows for residential development with a minimum lot size of 2.5 acres.

Water: None
Sewer: None

Property Features: Electric to Property; Flat;
 No CC&R's; On Gravel Road
View: Mountain View; Valley View

Financing: Cash**Agent Owned:** N**Seller Concessions:****Listing Price:** 297,000**LO:** Sage Realty Group

Information is deemed to be reliable, but is not guaranteed. © 2012 MLS and FBS.

Prepared by Ann Goodell on Tuesday, March 27, 2012 2:02 PM

The information on this sheet has been made available by the MLS and may not be the listing of the provider.

transfer of water rights to buyers

#1
RECORDING REQUESTED BY
First American Title Company

189039 JUN29 07 AM10:10

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 189039

TETON COUNTY, IDAHO
2007-06-29 10:10:00 No. of Pages: 2
Recorded for : FIRST AMERICAN
MARY LOU HANSEN Fee: 6.00
Ex-Officio Recorder Deputy *Cornel*
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **194613-T (tm)**

Date: **June 25, 2007**

For Value Received, **The Doris Sylvia Moss Family Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Targhee Hill Estates, LLC, a Delaware Limited Liability Company**, hereinafter called the Grantee, whose current address is **1777 Sun Peak Drive, Park City, UT 84098**, the following described premises, situated in **Teton County, Idaho**, to-wit:

A parcel of land located in Government Lot one of Section 29, the northeast quarter of the northwest quarter of Section 29, the south half of Government Lot four of Section 20 and the southeast quarter of the southwest quarter of Section 20, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho and more particularly described as follows:

**BEGINNING at the northeast corner of said Section 29, said corner is marked with a rebar and 2 inch aluminum cap (illegible);
Thence S00°27'38"E 121.27 feet along the east line of said Government Lot one of Section 29 to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543;
Thence N89°55'10"W 660.82 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543;
Thence S00°27'38"E 503.93 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543;
Thence N89°49'37"W 1,277.94 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543;
Thence N00°27'35"W 622.63 feet to the north line of said Section 29 and a 1/2 inch rebar with no cap;
Thence continuing N00°27'35"W 289.23 feet to a 1/2 inch rebar with no cap;
Thence S89°55'10"E 1,938.76 feet to a 1/2 inch rebar with no cap and the east line of said Government Lot 4 of Section 20;
Thence S00°27'14"E 288.73 feet along the east line of said Government Lot 4 of Section 20 to the POINT OF BEGINNING.**

The basis of bearing for this description is N00°27'38"W for the east line of said Government Lot one of said Section 29.

0.265 cfs of Water Rights No 22-13215 and 0.478 cfs of Water Right No. 22-13216 for the combined irrigation of 30 acres of land.

Together with a right-of-way and easement to use the Waddell ditch to transport the water diverted under the above described water rights to the above described property.

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.

Date: **06/25/2007**

Warranty Deed
- continued

File No.: **194613-T (tm)**

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: 06/25/2007

Warranty Deed
- continued

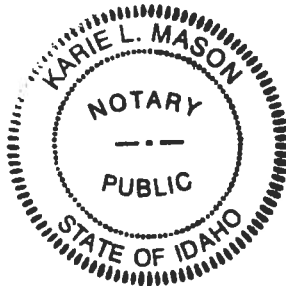
File No.: 194613-T (bm)

The Doris Sylvia Moss Family Trust

Doris Sylvia Moss Trustee
Doris Sylvia Moss, Trustee

STATE OF Idaho)
SS.
COUNTY OF Teton)

On this 26 day of June, 2007, before me, a Notary Public in and for said State, personally appeared **Doris Sylvia Moss**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **The Doris Sylvia Moss Family Trust** Trust, and acknowledged to me that she executed the same as such Trustee.



Karie L. Mason
Notary Public of Idaho
Residing at: Victor
Commission Expires: 8.19.2010

#2

Instrument # 218802
TETON COUNTY, IDAHO
09-26-2011 15:22:43 No. of Pages: 3
Recorded for: ALLIANCE TITLE - PRODUCTION CENTE
MARY LOU HANSEN Fee: \$16.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED IN LIEU OF FORECLOSURE

WHEN RECORDED, MAIL TO:
ZIONS FIRST NATIONAL BANK
One South Main, 5th Floor
Salt Lake City, Utah 84133
Attn: Tyler Bahr

110981
ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

**WARRANTY DEED
IN LIEU OF FORECLOSURE**

TARGHEE HILL ESTATES, LLC, a Delaware limited liability company, GRANTOR, hereby CONVEYS AND WARRANTS to **ZIONS FIRST NATIONAL BANK**, a national banking association, GRANTEE, whose address is One South Main, 5th Floor, Salt Lake City, Utah 84133, Attn: Tyler Bahr, pursuant to the obligations undertaken by Grantor in that certain Loan Modification and Forbearance Agreement dated as of July 20, 2011 and other good and valuable consideration, the following described tract of land situated in Teton County, State of Idaho, and more particularly described as follows:

See Exhibit "A", which is attached hereto and made a part of this Warranty Deed in Lieu of Foreclosure as if fully set forth herein, together with all permits, entitlements and other intangible rights appurtenant thereto;

excepting only unpaid and delinquent real property taxes assessed for the years 2009, 2010 and 2011.

DATED this 15th day of September, 2011.

TARGHEE HILL ESTATES, LLC,
A Delaware limited liability company

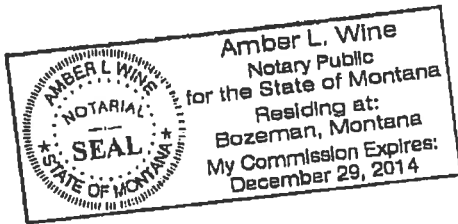
By:



Michael D. Stewart, Manager

STATE OF ~~UTAH~~ Montana)
)
COUNTY OF Gallatin)
)
: ss.

SUBSCRIBED AND SWORN to (or affirmed) before me on this 15th day of ^{and} ~~August~~ September, 2011, by Michael D. Stewart, Manager of Targhee Hill Estates, known to me to be the person who appeared before me.



Amber L Wine
NOTARY PUBLIC

EXHIBIT A**REAL PROPERTY DESCRIPTION**

A parcel of land located in Government Lot One of Section 29, the Northeast quarter of the Northwest quarter of Section 29, the South half of Government Lot Four of Section 20 and the Southeast quarter of the Southwest quarter of Section 20, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho and more particularly described as follows:

BEGINNING at the Northeast corner of said Section 29, said corner is marked with a rebar and 2 inch aluminum cap (illegible); thence South 00°27'38" East 121.27 feet along the East line of said Government Lot One of Section 29 to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North 89°55'10" West 660.82 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence South 00°27'38" East 503.93 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North 89°49'37" West 1,277.94 feet to a 5/8 inch rebar with aluminum cap inscribed NELSON ENGR PLS 11543; thence North 00°27'35" West 622.63 feet to the North line of said Section 29 and a ½ inch rebar with no cap; thence continuing North 00°27'35" West 289.23 feet to a ½ inch rebar with no cap; thence South 89°55'10" East 1,938.76 feet to a ½ inch rebar with no cap and the East line of said Government Lot 4 of Section 20; thence South 00°27'14" East 288.73 feet along the East line of said Government Lot 4 of Section 20 to the POINT OF BEGINNING. The basis of bearing for this description is N00°27'38" West for the East line of said Government Lot One of said Section 29.

Together with 0.265 cfs of Water Right No. 22-13215 and 0.478 cfs of Water Right No. 22-13216 for the combined irrigation of 30 acres of land.

Together with a right of way and easement to use the Waddell ditch to transport the water diverted under the above described water rights to the above described property.

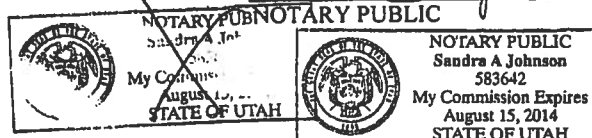


Exhibit A

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