

WOWA

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 11-7037           |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |
|                   |                          |          |                   |                          |          |

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AUG 13 2009

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

KEITH BENNION  
 2853 NOUNAN Road  
 SODA SPRINGS, IDAHO 83276

4. New Owner/Claimant(s)

F. DARRIN SIMS

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 727 (2853 NOUNAN Road)

City, State and ZIP Code

Soda Springs, IDAHO 83276

New Telephone Number

(208) 547-3053 Emailing funeral home request office. riet

5. Date you acquired the property

April 6, 2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b> <u>11-7037</u>                                                   |                                                                            |                                                              |
| Irrigation                                                                                                           | <u>.06 CFS</u>                                                             | <u>4 Acres</u>                                               |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             | <u>.04 CFS</u>                                                             | <u>1 home</u>                                                |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        | <u>.06</u>                                                                 |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                            |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b> _____                                                            |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Bill Kaye Sims  
Bill Kaye Sims

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

## For IDWR Office Use Only:

Received by BMTL  
 Receipted by BMTL  
 Processed by \_\_\_\_\_ AJ

Date 8/13/09  
 Date 8/13/09  
 Date \_\_\_\_\_

Receipt Amt. \$ 25  
 Receipt No. E035267  
 WR \_\_\_\_\_ Date \_\_\_\_\_

Instrument # 182882  
CARIBOU COUNTY  
4-13-2009 01:42:38 No. of Pages: 2  
Recorded for: CARIBOU TITLE  
VEDA MASCARENAS  
Ex-Officio Recorder Deputy  
Index to: TRUSTEE'S DEED

**TRUSTEES DEED**

For Value Received

**JANEEN MARTIN, KRISTEEN ABSHIRE AND STEVEN KEITH BENNION,** as Trustees of The Bennion Family Trust, dated September 6, 1990,

the grantors of Logan and Brigham City, Utah, do hereby grant, bargain, sell and convey unto the

**F. DARRIN SIMS, a married man, as his sole and separate property**

the grantee, of 2853 Nounan Rd., Soda Springs, Idaho 83276, the following described premises located in Caribou County, Idaho, to-wit:

Township 9 South, Range 42 East of the Boise Meridian:

Section 32: Beginning at a point which is 1279.0 feet North and 28.5 feet East of the South Quarter corner of said Section 32, said point being on the Southerly right of way line of an 80 foot County road right of way, and running  
thence East parallel to the South Section line 528.0 feet;  
thence South at right angles 330.0 feet;  
thence West at right angles 528.0 feet;  
thence North at right angles 330.0 feet,  
to the Point of Beginning.

TOGETHER WITH Idaho Water Right No. 11-7037

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 6, 2009

trd.benniontrust/sims/pg.1

THE BENNION FAMILY TRUST,  
dated September 6, 1990

By: Janeen Martin  
JANEEN MARTIN, Trustee

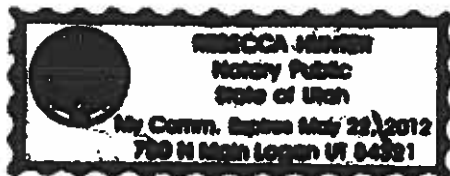
By: Kristeen Abshire  
KRISTEEN ABSHIRE, Trustee

By: Steven K. Bennion  
STEVEN KEITH BENNION, Trustee

STATE OF UTAH )  
County of Cache ) ss.

On this 6 day of April, 2009, before me the undersigned, a notary public in and for said County and State, personally appeared Janeen Martin, Kristeen Abshire and Steven Keith Bennion, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of The Bennion Family Trust, dated September 6, 1990 and acknowledged to me that they executed the same as such Trustees.

Rebecca Hunter  
NOTARY PUBLIC FOR THE STATE OF UTAH  
Residing at: Logan Utah  
Commission expires: May 22, 2012



QUIT-CLAIM DEED

FOR VALUE RECEIVED,

Billikaye Sims, a married woman,

of Soda Springs, Idaho, does hereby convey, release, remise and forever quit claim unto

F. Darrin Sims, a married man, as his sole and separate property,

of 2853 Nounan Rd., Soda Springs, Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, the following described premises, to-wit:

Caribou County, Idaho:

Township 9 South, Range 42 East of the Boise Meridian:

Section 32: Beginning at a point which is 1279.0 feet North and 28.5 feet East of the South Quarter corner of said Section 32, said point being on the Southerly right of way line of an 80 foot County road right of way, and running  
thence East parallel to the South Section line 528.0 feet;  
thence South at right angles 330.0 feet;  
thence West at right angles 528.0 feet;  
thence North at right angles 330.0 feet,  
to the Point of Beginning.

together with their appurtenances.

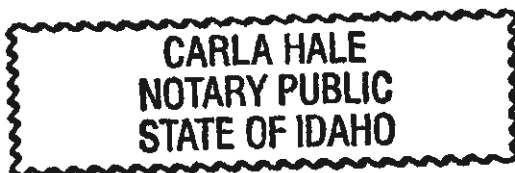
DATED: April 7, 2009

Billikaye Sims  
Billikaye Sims

STATE OF IDAHO            )  
                                  : ss.  
County of Caribou        )

On this 9th day of April, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Billikaye Sims**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



*Carla Hale*  
\_\_\_\_\_  
NOTARY PUBLIC for the State of Idaho  
Residing at: Soda Springs, Idaho  
Commission expires: 12/12/2014

32

TYSEN HOPKINS

GARY HOPKINS

HUNT FAMILY

DARIN  
F  
SIMS

MICHAEL HAYES

BAILEY CREEK SUBDIVISION

GARY DAVIS

MICHAEL HAYES

MICHAEL BAUERLE

GARY DAVIS