Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 18 2022
Department 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
17-7188 OK	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: Darvel Garn Trust
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Poverty Flat L.L.C.
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

4607 W 16800 N — Mailing address
Fielding — City
Ut — State
84311 — Zip
435-458-3589 — Telephone
garncattle@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: 12-13-22.

6. Do you own the land identified as the water right place of use? Yes ☑ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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] — Signature of new owner/claimant; Title, if applicable; 1-18-23 — Date
   Kevin Garn — Print name

   Signature: [signature] — Signature of new owner/claimant; Title, if applicable; Date
   Print name: Jeri Garn

For IDWR Office Use Only: $25.- for this app

Receipted by JB Date 1/18/2023 Receipt No. E048855 Receipt Amt. $150.-

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 1/23/2023

SCANNED
JAN 23 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 17-7188

Priority: July 29, 2019

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 2.1 AF

It is hereby certified that:

DARVEL GARN TRUST
C/O KEVIN GARN
4607 W 16800 N
FIELDING UT 84311-9401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 2019, and has submitted Proof of Beneficial Use on October 14, 2021. An examination confirms water is diverted from:

Source : SPRING **Tributary:** SINKS

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
STOCKWATER	03/01 to 12/01	0.02 CFS	2.1 AF

Location of Point(s) of Diversion
SPRING SW¼ NW¼ SE¼, Sec. 28, Twp 16S, Rge 35E, B.M. ONEIDA County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
15N	05W	34																X
15N	05W	35	X															
16S	35E	28												X				

Conditions of Approval

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Place of use includes stockwater troughs in T15N R5W Sec. 34 & 35 in Box Elder County, Utah.
3. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 12th day of December, 2022.

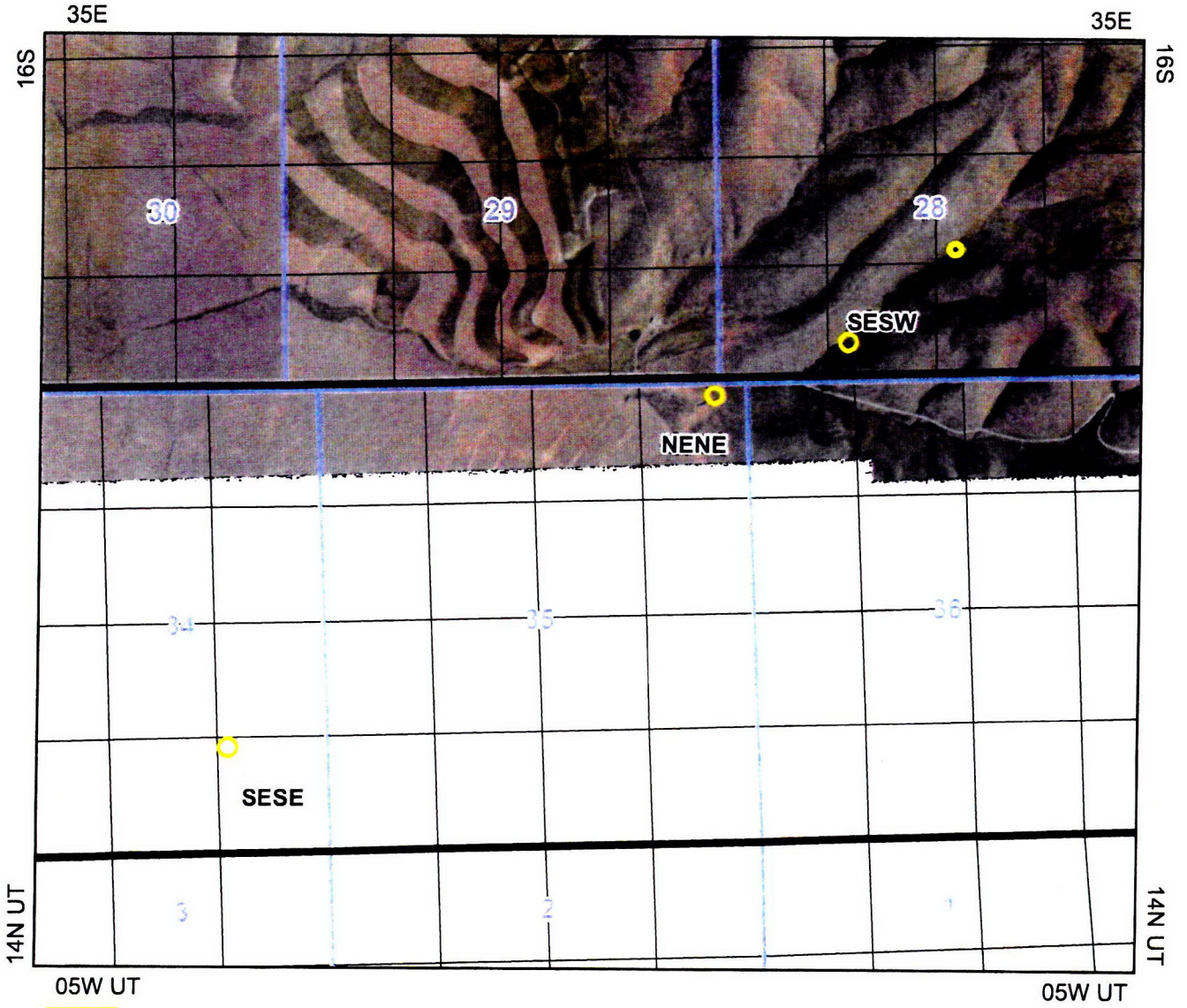
JAMES CEFALO
Eastern Regional Manager

SCANNED
JAN 23 2023

State of Idaho
Department of Water Resources

Water Right License

17-7188



SCANNED
JAN 23 2023

Ent: 459709 B: 1544 P: 0864
Chad Montgomery Box Elder County Utah Recorder
12/22/2022 02:47 PM Fee $40.00 Page 1 of 4
For HALLOCK & HALLOCK
Electronically Recorded By SIMPLIFILE LC E-RECORDING

When Recorded Mail To:
Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, UT 84341

Send Tax Notices To:
Poverty Flat, LLC
4607 West 16800 North
Fielding, UT 84311

QUIT CLAIM DEED

Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, grantors, of Fielding, County of Box Elder, State of Utah, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby CONVEY, REMISE, RELEASE and forever QUITCLAIM to **Poverty Flat, LLC**, a Utah limited liability company, grantee, of 4607 West 16800 North, Fielding, County of Box Elder, State of Utah, the following described real estate in Box Elder County, State of Utah:

See Exhibit "A" attached hereto.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 20th day of December 2022.

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

SCANNED
JAN 23 2023

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams, a notary public, personally appeared Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams a notary public, personally appeared Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

SCANNED
JAN 23 2023

EXHIBIT "A"

Parcel 1:

Beginning at a point West 902 feet and North 33 feet from the Southeast Corner of Section 5, Township 13 North, Range 2 West, SLM said Point of Beginning being on the North Line of an Existing County Road, West 2829.72 feet along said North Line, North 14°35'17" East 1310.20 feet, South 75°33'18" East 1311.85 feet, South 83°38'05" East 1507.23 feet, South 19°10'29" West 817.78 feet to beginning.

Parcel No. 07-001-0006

Parcel 2:

Lots 1, 2, 3, and 4 of Section 18, Township 13 North, Range 2 West, SLM.

Parcel No. 07-023-0003

Parcel 3:

The Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 18, Township 13 North, Range 2 West, SLM. Less: A part of the following: Beginning on the Existing Westerly Boundary Fence of 3600 West Street at a point 2497.91 feet South and 5301.36 feet East from the Northwest Corner of Section 18, South 0°01'28" East 1771.46 feet along said fence North 89°59'44" West 1101.84 feet, North 6°37'12" East 200.45 feet, North 8°40'32" East 696.45 feet, North 82°31'39" East 340.71 feet, North 0°32'37" East 1029.11 feet, North 29°15'02" East 144.53 feet, South 246.85 feet, East 486.29 feet, South 44°49'38" East 97.07 feet to point of beginning.

Parcel No. 07-023-0006

Parcel 4:

Beginning on the North Boundary of Section 3 at a point 4481.95 feet East from the Northwest corner of Section 3, Township 14 North, Range 5 West, SLM, East 798.05 feet, South 1866.87 feet, South 72°49'03" West 88.62 feet, North 21°38'58" West 451.46 feet, North 1°07'15" East 223.36 feet, North 35°44'52" West 436.22 feet, North 22°14'29" West 239.54 feet, North 16°57'41" West 705.03 feet to point of beginning.

Parcel No. 08-004-0123

SCANNED

JAN 23 2023

Parcel 5:

Lots 1, 2, 3, and 4 of Section 26, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0017

Parcel 6:

All of Section 35, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0018

Parcel 7:

Remainder Description: Beginning at the Northwest Corner of Lot 4, Section 25, Township 15 North, Range 5 West, SLM, East 1101 feet, South 46°55' West 316 feet more or less to the North Line of County Road, Northwesterly along the North Line of said Road to the West Line of Section 36, Township 15 North, Range 5 West, SLM, thence North along said West Line to Point of Beginning. Being in Section 25 and 36, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0019

Parcel 8:

Part of Section 27 and 34, Township 15 North, Range 5 West, SLM, beginning on the South Boundary of Section 34 at a point 4481.95 feet East from the Southwest Corner of Section 34, North 20°00'47" West 586.37 feet, North 23°28'02" West 339.05 feet, North 8°32'21" East 443.66 feet, North 11°33'53" West 1084.80 feet, North 18°37'59" East 98.18 feet, North 8°09'27" West 417.87 feet, North 1°34'53" West 982.24 feet, North 24°35'24" West 239.96 feet, North 52°39'17" West 378.22 feet, North 16°07'18" East 306.15 feet, North 4°10'26" East 725.62 feet to the North Boundary of said Section 34, North 81.90 feet to the Utah-Idaho State Line, South 89°45'27" East 1603.03 feet along said State Line, South 82.50 feet to the Northeast Corner of said Section 34, South 5310.10 feet to the Southeast Corner of said Section 34, West 798.05 feet to Point of Beginning. Together with a Pipe Line Easement.

Parcel No. 08-022-0026

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

SCANNED
JAN 23 2023

Recorded Electronically
ID 459709
County Box Elder
Date 2/22/2022 Time 02:47 pm
Simplifile.com 800.460.5657

When Recorded Mail To:
Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, UT 84341

Send Tax Notices To:
Poverty Flat, LLC
4607 West 16800 North
Fielding, UT 84311

QUIT CLAIM DEED

Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, grantors, of Fielding, County of Box Elder, State of Utah, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby CONVEY, REMISE, RELEASE and forever QUITCLAIM to **Poverty Flat, LLC**, a Utah limited liability company, grantee, of 4607 West 16800 North, Fielding, County of Box Elder, State of Utah, the following described real estate in Box Elder County, State of Utah:

See Exhibit "A" attached hereto.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 20th day of December 2022.

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

SCANNED
JAN 23 2023

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams, a notary public, personally appeared Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams a notary public, personally appeared Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

SCANNED
JAN 23 2023

EXHIBIT "A"

Parcel 1:

Beginning at a point West 902 feet and North 33 feet from the Southeast Corner of Section 5, Township 13 North, Range 2 West, SLM said Point of Beginning being on the North Line of an Existing County Road, West 2829.72 feet along said North Line, North 14°35'17" East 1310.20 feet, South 75°33'18" East 1311.85 feet, South 83°38'05" East 1507.23 feet, South 19°10'29" West 817.78 feet to beginning.

Parcel No. 07-001-0006

Parcel 2:

Lots 1, 2, 3, and 4 of Section 18, Township 13 North, Range 2 West, SLM.

Parcel No. 07-023-0003

Parcel 3:

The Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 18, Township 13 North, Range 2 West, SLM. Less: A part of the following: Beginning on the Existing Westerly Boundary Fence of 3600 West Street at a point 2497.91 feet South and 5301.36 feet East from the Northwest Corner of Section 18, South 0°01'28" East 1771.46 feet along said fence North 89°59'44" West 1101.84 feet, North 6°37'12" East 200.45 feet, North 8°40'32" East 696.45 feet, North 82°31'39" East 340.71 feet, North 0°32'37" East 1029.11 feet, North 29°15'02" East 144.53 feet, South 246.85 feet, East 486.29 feet, South 44°49'38" East 97.07 feet to point of beginning.

Parcel No. 07-023-0006

Parcel 4:

Beginning on the North Boundary of Section 3 at a point 4481.95 feet East from the Northwest corner of Section 3, Township 14 North, Range 5 West, SLM, East 798.05 feet, South 1866.87 feet, South 72°49'03" West 88.62 feet, North 21°38'58" West 451.46 feet, North 1°07'15" East 223.36 feet, North 35°44'52" West 436.22 feet, North 22°14'29" West 239.54 feet, North 16°57'41" West 705.03 feet to point of beginning.

Parcel No. 08-004-0123

SCANNED

JAN 23 2023

Parcel 5:

Lots 1, 2, 3, and 4 of Section 26, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0017

Parcel 6:

All of Section 35, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0018

Parcel 7:

Remainder Description: Beginning at the Northwest Corner of Lot 4, Section 25, Township 15 North, Range 5 West, SLM, East 1101 feet, South 46°55' West 316 feet more or less to the North Line of County Road, Northwesterly along the North Line of said Road to the West Line of Section 36, Township 15 North, Range 5 West, SLM, thence North along said West Line to Point of Beginning. Being in Section 25 and 36, Township 15 North, Range 5 West, SLM.

Parcel No. 08-022-0019

Parcel 8:

Part of Section 27 and 34, Township 15 North, Range 5 West, SLM, beginning on the South Boundary of Section 34 at a point 4481.95 feet East from the Southwest Corner of Section 34, North 20°00'47" West 586.37 feet, North 23°28'02" West 339.05 feet, North 8°32'21" East 443.66 feet, North 11°33'53" West 1084.80 feet, North 18°37'59" East 98.18 feet, North 8°09'27" West 417.87 feet, North 1°34'53" West 982.24 feet, North 24°35'24" West 239.96 feet, North 52°39'17" West 378.22 feet, North 16°07'18" East 306.15 feet, North 4°10'26" East 725.62 feet to the North Boundary of said Section 34, North 81.90 feet to the Utah-Idaho State Line, South 89°45'27" East 1603.03 feet along said State Line, South 82.50 feet to the Northeast Corner of said Section 34, South 5310.10 feet to the Southeast Corner of said Section 34, West 798.05 feet to Point of Beginning. Together with a Pipe Line Easement.

Parcel No. 08-022-0026

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

SCANNED

JAN 23 2023

164240

When Recorded Mail To:
Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, UT 84341

Send Tax Notices To:
Poverty Flat, LLC
4607 West 16800 North
Fielding, UT 84311

Microfilm No. 164240
21 Day Dec 20 22
At 10 00 O'clock AM
Oneida Co. Recorder
Fee $ 15.00 Deputy
Recorded at Request of
Hallock & Hallock

QUIT CLAIM DEED

Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, grantors, of Fielding, County of Box Elder, State of Utah, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby CONVEY, REMISE, RELEASE and forever QUITCLAIM to **Poverty Flat, LLC**, a Utah limited liability company, grantee, of 4607 West 16800 North, Fielding, County of Box Elder, State of Utah, the following described real estate in Oneida County, State of Idaho:

See Exhibit "A" attached.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 20th day of December 2022.

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

SCANNED
JAN 23 2023

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams a notary public, personally appeared Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who acknowledged and swore to me that his signature is voluntary and document truthful.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams, a notary public, personally appeared Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who acknowledged and swore to me that his signature is voluntary and document truthful.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

SCANNED
JAN 23 2023

EXHIBIT "A"

Beginning at a point North 89°58' East along Section line 766.4 feet from the Southwest corner of Section 28, Township 16 South, Range 35 EBM and running North 57°49' East 1157.2 feet, North 40°40' East 1170 feet, North 55°00' East 1081 feet, South 44°40' East 390 feet, South 55°00' West 1260 feet, South 46°55' West 1645 feet, South 89°58' West 668 feet to the point of beginning.

Parcel No. RP0279900

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

SCANNED

JAN 23 2023

Recorded Electronically
ID 164240
County Oneida
Date 12/21/2022 Time 10:00 AM
Simplifile.com 800.460.5657

When Recorded Mail To:
Hallock & Hallock, a professional corporation
40 West Cache Valley Blvd., Suite 9A
Logan, UT 84341

Send Tax Notices To:
Poverty Flat, LLC
4607 West 16800 North
Fielding, UT 84311

QUIT CLAIM DEED

Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and Kevin Oleen Garn and Michael L. Garn, Trustees of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, grantors, of Fielding, County of Box Elder, State of Utah, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby CONVEY, REMISE, RELEASE and forever QUITCLAIM to **Poverty Flat, LLC**, a Utah limited liability company, grantee, of 4607 West 16800 North, Fielding, County of Box Elder, State of Utah, the following described real estate in Oneida County, State of Idaho:

See Exhibit "A" attached.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Witness in the hands of said grantors this 20th day of December 2022.

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984

Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

Michael L. Garn, Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984

SCANNED
JAN 23 2023

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams a notary public, personally appeared Kevin Oleen Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who acknowledged and swore to me that his signature is voluntary and document truthful.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

STATE OF UTAH)
:ss
COUNTY OF Cache)

On this 20th day of December, 2022, before me, Rebecca J. Williams, a notary public, personally appeared Michael L. Garn, Trustee of that certain Trust Agreement executed by Darvel N. Garn on December 5, 1984, and as Trustee of that certain Trust Agreement executed by Bonnie L. Garn on December 5, 1984, who is personally known to me or who proved to me his identity through documentary evidence to be the person who signed the preceding document in my presence and who acknowledged and swore to me that his signature is voluntary and document truthful.

Rebecca J Williams
Notary Public
Residing at: Cache
My commission expires: 08/11/2025

REBECCA J WILLIAMS
Notary Public State of Utah
My Commission Expires on:
August 11, 2025
Comm. Number: 719283

SCANNED
JAN 23 2023

EXHIBIT "A"

Beginning at a point North 89°58' East along Section line 766.4 feet from the Southwest corner of Section 28, Township 16 South, Range 35 EBM and running North 57°49' East 1157.2 feet, North 40°40' East 1170 feet, North 55°00' East 1081 feet, South 44°40' East 390 feet, South 55°00' West 1260 feet, South 46°55' West 1645 feet, South 89°58' West 668 feet to the point of beginning.

Parcel No. RP0279900

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

SCANNED

JAN 23 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 17-7188

Priority: July 29, 2019

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 2.1 AF

It is hereby certified that:

DARVEL GARN TRUST
C/O KEVIN GARN
4607 W 16800 N
FIELDING UT 84311-9401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 2019, and has submitted Proof of Beneficial Use on October 14, 2021. An examination confirms water is diverted from:

Source : SPRING **Tributary:** SINKS

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
STOCKWATER	03/01 to 12/01	0.02 CFS	2.1 AF

Location of Point(s) of Diversion
SPRING SW¼ NW¼ SE¼, Sec. 28, Twp 16S, Rge 35E, B.M. ONEIDA County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
15N	05W	34																X
15N	05W	35	X															
16S	35E	28												X				

Conditions of Approval

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Place of use includes stockwater troughs in T15N R5W Sec. 34 & 35 in Box Elder County, Utah.
3. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 12th day of December, 2022.

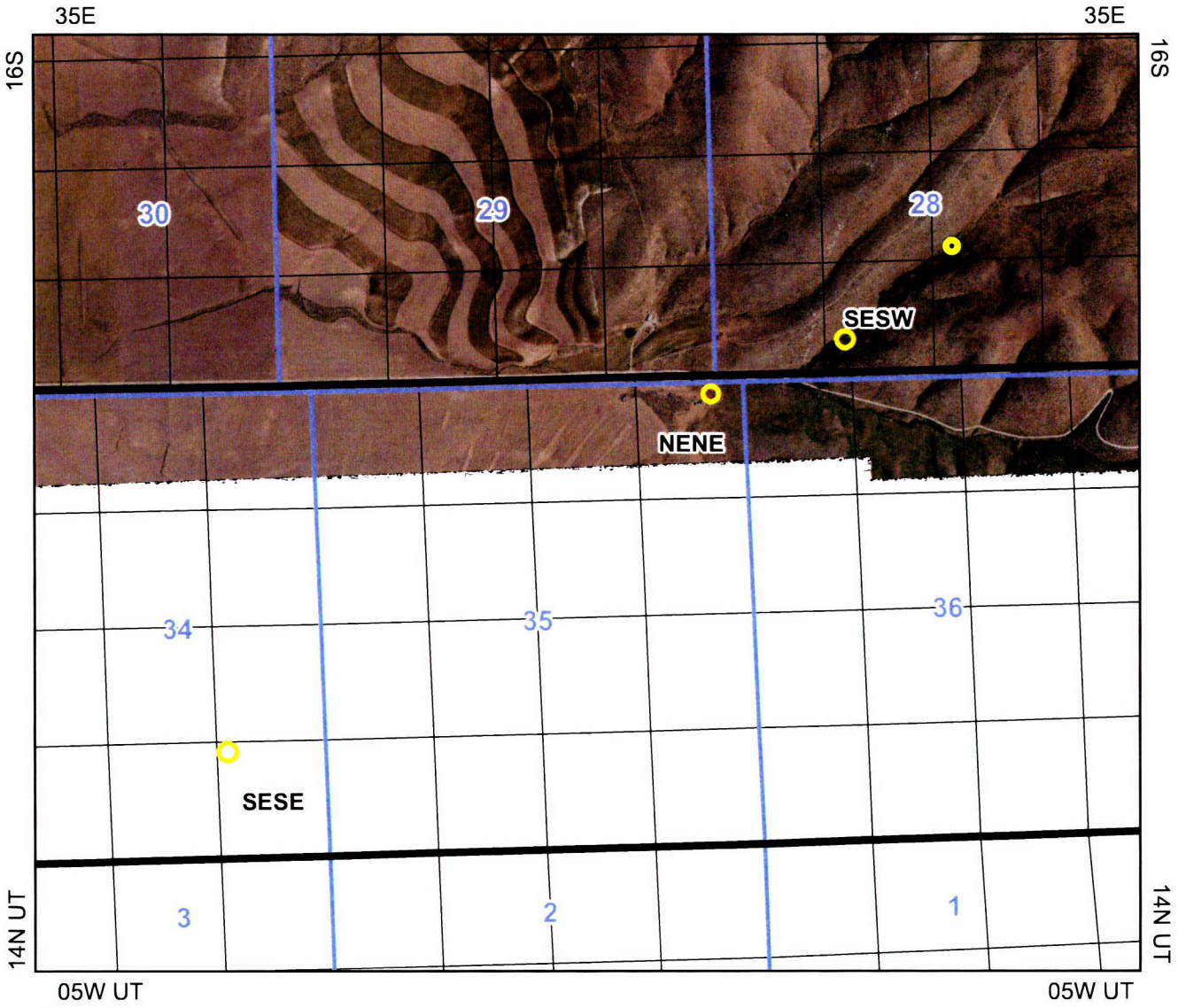
JAMES CEFALO
Eastern Regional Manager

SCANNED
DEC 14 2022

State of Idaho
Department of Water Resources

Water Right License

17-7188



SCANNED
DEC 12 2022

RECEIVED

NOV 23 2022

Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 17-7188

Priority: July 29, 2019 **Maximum Diversion Rate:** 0.02 CFS

The owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 17-7188

DARVEL GARN TRUST C/O KEVIN GARN
4607 W 16800 N FIELDING UT 84311-9401

requests the permit be changed as follows:

Source : SPRING **Tributary:** SINKS

Beneficial Use	**Period of Use**	**Rate of Diversion**
STOCKWATER	03/01 to 12/01	0.02 CFS

Location of Point(s) of Diversion
SPRING SW¼ NW¼ SE¼, Sec. 28, Twp 16S, Rge 35E, B.M. ONEIDA County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	05W	34																X	
15N	05W	35	X																
16S	35E	28												X					

Utah

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 20 day of November, 2022

Trustee

(Signature)

SCANNED
DEC 12 2022

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 17-7188

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = $100 Receipted by M.Pettis # E048756 Date 11-23-22

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 17-7188 with the following:

Conditions of Approval

1. Stockwater use is for 200 range cattle.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. Place of use includes stockwater troughs in T15N R5W Sec. 34 & 35 in Box Elder County, Utah.
4. This right does not grant any right-of-way or easement across the land of another.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 2nd day of December, 2022.

JAMES CEFALO
Eastern Regional Manager

SCANNED
DEC 14 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

January 23, 2023

POVERTY FLAT LLC
4607 W 16800 N
FIELDING UT 84311-9401

Re: Change in Ownership for Water Right No(s): 17-7188

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)

SCANNED
JAN 23 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little Director Gary Spackman

December 12, 2022

DARVEL GARN TRUST
C/O KEVIN GARN
4607 W 16800 N
FIELDING UT 84311-9401

RE: License No. 17-7188

ISSUANCE OF LICENSE

Dear Water Right Holder:

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

SCANNED
DEC 12 2022

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2022, I served a true and correct copy of Water Right License No. 17-7188 by U.S. Mail, postage prepaid, to the following:

DARVEL GARN TRUST
C/O KEVIN GARN
4607 W 16800 N
FIELDING UT 84311-9401

Christina Henman
Administrative Asst. I

SCANNED
DEC 12 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 17-7188
Exam Date: 11/01/2022

1. Current Owner: Darvel Garn Trust

2. Accompanied by: N/A
   Phone No:
   Address:
   Relationship to permit Holder:

3. **SOURCE:**
SPRING

Method of Determination: Site visit

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _NO_ Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: No overlap with other rights exists from the permitted POD. POD is within Oneida County, Idaho.

2. Other water rights with the same point-of-diversion: _NO_ Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: No overlap with other rights exists for the POU. Some of the POU is within Box Elder County, Utah.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:** **SWNWSE, Sec. 28, T16S, R35E**

Method of Determination: Site visit and GPS

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	35E	28												X					
15N	05W	35	X																
15N	05W	34																X	

Method of Determination: Site visit and GPS

SCANNED
DEC 12 2022

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
__x__ Indicate weir size/pipe as applicable.

Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be
__x__ 1:24,000 or greater.

__x__ Aerial Photo Attached (required for irrigation of 10+ acres).

__x__ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements:

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

All rights diverted out of the point of diversion are less than 0.24 CFS. No measurement taken.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

2. Volume Calculations for Other Uses:

$$\frac{200\ range\ cattle \times 12\ gpd \times 276\ days}{325{,}850\ gal/af} = 2.1\ AFA$$

G. NARRATIVE/REMARKS/COMMENTS

I performed a licensing field exam, on 11/01/2022, to verify the location of the point of diversion (POD) and the locations of the place(s) of use (POU). The point of diversion is a spring located in the NWSE, Sec. 28, T16S, R35E. The point of diversion is likely to be perforated pipe buried underground to collect spring water and transfer the water to a pipeline.

The place of use (POU) is spread out over three different water troughs. Each trough has an overflow that allows water from the spring to flow onto the ground or into a small, natural channel where water sinks. There is a small diversion box before the first POU that splits the water to the first trough and a pipeline to the remaining two troughs. The POU covers three

SCANNED
DEC 12 2022

different locations. Two of which are within Box Elder, County Utah. SESW, Sec. 28, T16S, R35E is within Oneida County Idaho, where as NENE, Sec 35, T15N, R05W, and SESE, Sec. 34, T15N, 05W, are both in Box Elder County, Utah. One part of the POU, located in the SESE, Sec. 34, T15N, R05W, was developed in a different QQ to what was applied for and permitted. An amendment will be necessary to proceed with licensing.

Have conditions of permit approval been met? _X_ Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
		0.02 CFS	2.1 AF
	Totals:	0.02 CFS	2.1 AF

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above _X_ None

_X_ Change P.U. as reflected above ____ Add P.U. as reflected above ____ None

I. AUTHENTICATION

Field Examiner's Name Jared Adamson - Water Resource Agent Date 11/8/2022

Reviewer James Cefalo Date 12/2/22

SCANNED
DEC 12 2022



Overall POD:

The spring location with the point of diversion.



POD:

The point of diversion is in the NWSE, Sec. 28, T16S, R35E.

SCANNED
DEC 12 2022



Pipeline "T":

This is the pipeline diversion box that splits water from the pipeline to the first water trough. The pipeline continues from here to the second and third troughs.



First Trough:

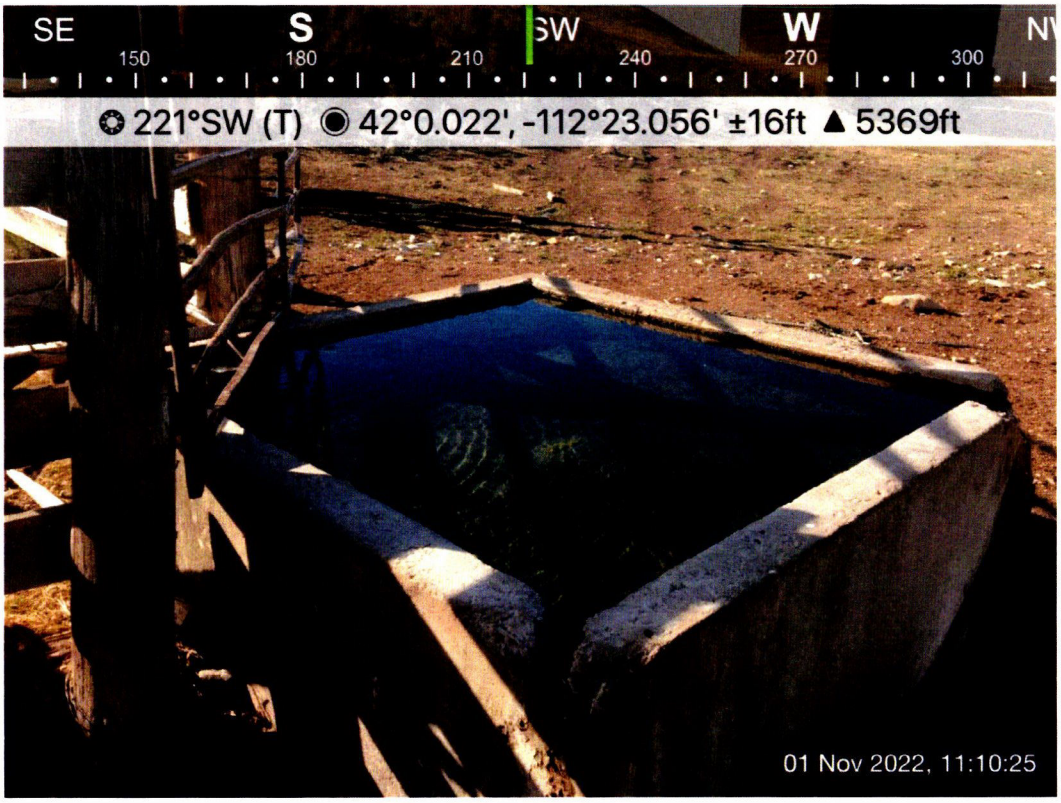
The first trough is in the SESW, Sec 28, T16S, R35E.

SCANNED
DEC 12 2022



First Trough Overflow/discharge

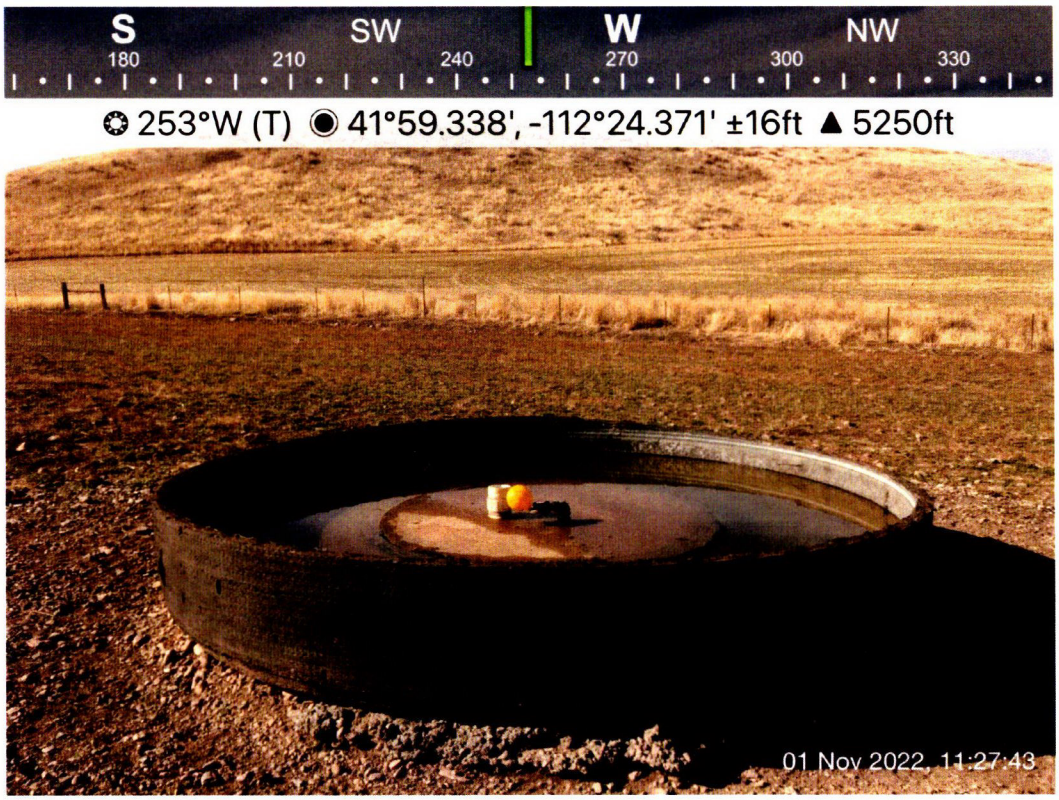
Overflow from this trough flows into a draw and then sinks.



Second Trough:

The second trough is in the NENE Sec. 35, T15N, 05W, Box Elder County, Utah. Overflow from this trough sinks.

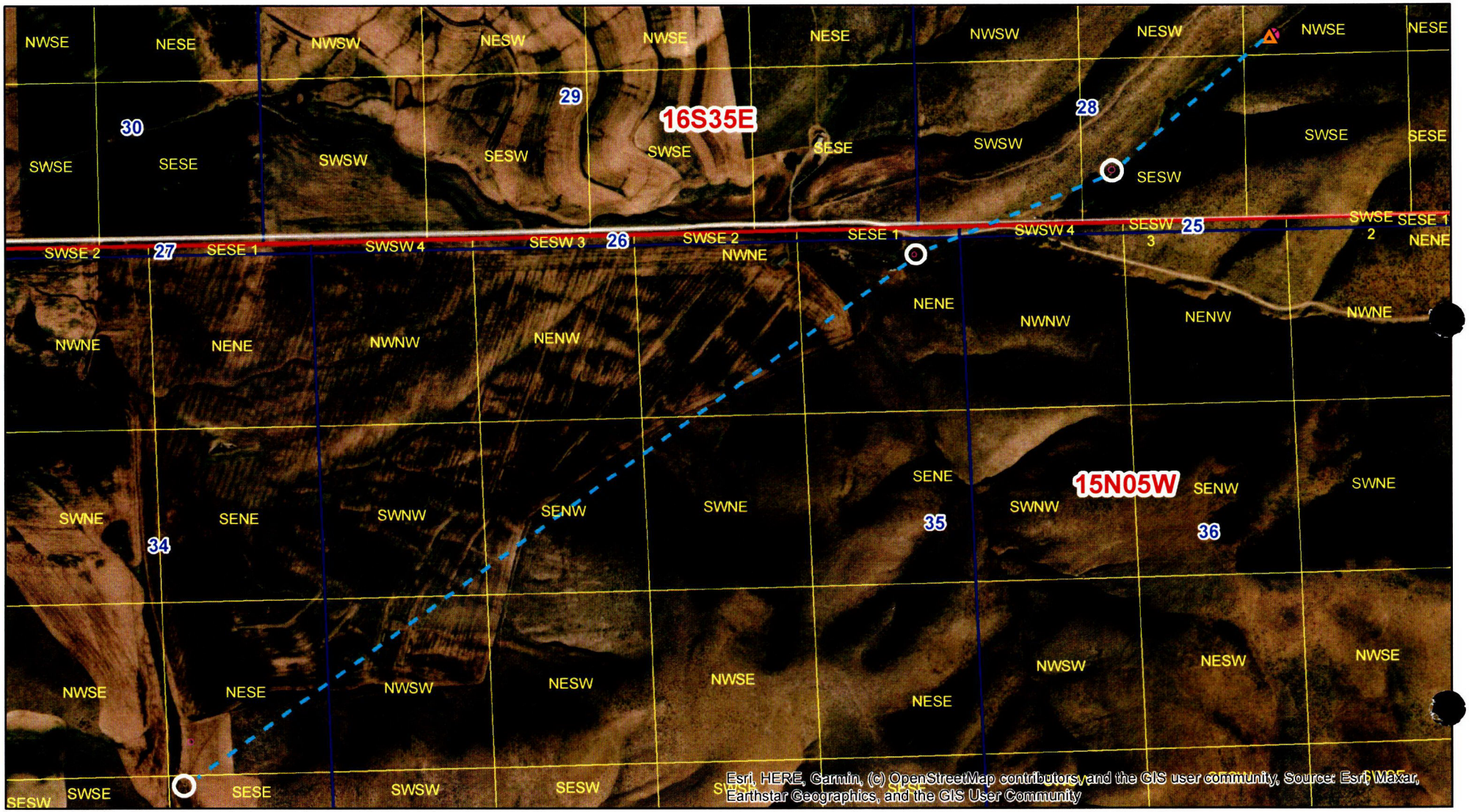
SCANNED
1 2 2022



Third Trough:

This trough is in the SESE, Sec34, T15N, R05W, Box Elder County, Utah. Overflow from this trough flows into a discharge pipe into a draw and sinks.

SCANNED
DEC 14 2022



POD
Water Trough/POU
All Other Permits
Permit POD
Township/Range
Sections
QQ

0 750 1,500 3,000 Feet

N

Comment:

J.ADAMSON_IDWR_11/2/2022

SCANNED DEC 14 2022