

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 11 2022

DEPT OF WATER RESOURCES
SOUTHERN 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?
45-10547	Yes ☐	Yes ☐		Yes ☐	Yes ☐
45-14525	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-14526	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-14527	Yes ☒	Yes ☐		Yes ☐	Yes ☐
45-14528	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Helen Sorensen Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Daniel L. and ViAnn Hayes Trust

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

32 W. 5878 S.

Murray

UT

84107

Mailing address

City

State

Zip

Telephone

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: April 19, 2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
- o 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):
- o \$25 per *undivided* water right.
- o \$100 per *split* water right.
- o 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: Daniel L. Hayes Title, if applicable _____ Date 10/11/22

Signature of new owner/claimant

Title, if applicable

Date

Daniel L. Hayes
Print name

Signature: ViAnn Hayes Title, if applicable _____ Date Oct. 11, 2022

Signature of new owner/claimant

Title, if applicable

Date

ViAnn Hayes
Print name

Received by SG Date 10/11/2022 For IDWR Office Use Only: Receipt No. 5039471 Receipt Amt. \$425.00

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 SUPPORT DATA Processed by JB Date 11-8-2022

IN FILE # 45-10547

SCANNED
NOV 29 2022

Instrument # 22001707

BURLEY, CASSIA, IDAHO

4-19-2022 04:02:26 PM No. of Pages: 5

Recorded for : VIANN HAYES

JOSEPH LARSEN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED

Mail Tax Notices To:

Daniel L and ViAnn Hayes Trust

32 West 5878 South

Murray, UT 84107

QUIT-CLAIM DEED

FOR VALUE RECEIVED, **VIANN HAYES, Successor Trustee of The Helen Sorensen Trust U/A DTD 04/22/2014 , and amended by First Amendment to the Trust of Helen Sorensen dated the 21st day of January, 2020**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DANIEL L AND VIANN HAYES TRUST, of 32 West 5878 South, Murray, UT 84107, hereinafter called Grantee, the following described premises, situated in Cassia County, Idaho, to-wit:

Tract I:

Cassia County, Idaho:

Township 12 South, Range 24, East of the Boise Meridian:

Section 12: A tract of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township and Range, aforesaid, and further described as follows:

Beginning at the Southwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 12 S., R. 24 E., B.M., said corner marked by a 5/8" rebar; Thence North 89°44'30" East along the South line of Section 12, for a distance of 786.54 feet; Thence North 01°53'26" East for a distance of 41.61 feet to a 5/8" rebar; Thence North 01°53'26" East for a distance of 215.71 feet to a 1/2" rebar, which shall be the Point of Beginning; Thence North 00°17'01" East for a distance of 238.55 feet to a 1/2" rebar; Thence North 88°48'06" East for a distance of 171.93 feet to a 1/2" rebar; Thence South 05°30'57" East (South 05°30'56" East by record) for a distance of 233.43 feet to a 1/2" rebar; Thence South 87°07'59" West for a distance of 195.75, To the Point of Beginning.

Said property contains 1.00 acre, more or less and is subject to any easements or right of ways, existing or of record.

Tract II:

Cassia County, Idaho:

Township 12 South, Range 42 East of the Boise Meridian:

ALSO INCLUDING, part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12, Township and Range, aforesaid, and further described as follows:

Beginning at the South Quarter Corner of said Section 12, T. 12 S., R. 24 E., B.M., said corner marked by a 5/8" rebar with a 3" aluminum cap on top; Thence South 89°44'30" West along the South line of Section

12, for a distance of 524.64 feet; Thence North 01°53'26" East for a distance of 41.61 feet to a ½" rebar;
Thence North 01°53'26" East for a distance of 454.26 feet, which rebar shall be the Point of Beginning;
Thence North 00°17'01" East for a distance of 832.57 feet to a ½" rebar;
Thence North 89°34'13" East for a distance of 517.92 feet to a 5/8" rebar at the Northeast Corner of the SE¼SW¼;
Thence North 89°07'48" East for a distance of 1313.51 feet to a 5/8" rebar at the Northeast Corner of the SW¼SE¼;
Thence South 00°25'08" West for a distance of 791.39 feet to a ½" rebar;
Thence South 00°25'08" West for a distance of 28.52 feet;
Thence South 88°51'46" West for a distance of 91.82 feet to a ½" rebar;
Thence South 88°51'46" West for a distance of 1566.01 feet to a ½" rebar;
Thence South 88°48'06" West for a distance of 171.93 feet,
To the Point of Beginning.

Said property contains 34.65 acres, more or less and is subject to any easements or right of ways, existing or of record.

Tract III:

Cassia County, Idaho:

Township 12 South, Range 24 East of the Boise Meridian:

Section 12: That part of the SE¼SW¼ of said Section 12, Township and Range, aforesaid, and further described as follows:

Beginning at the Southwest Corner of the SE¼SW¼ of Section 12, T. 12 S., R. 24 E., B.M., said corner being marked by a 5/8" rebar; Thence North 89°44'30" East along the South line of Section 12, for a distance of 786.54 feet to the Point of Beginning;
Thence North 01°53'26" East for a distance of 41.61 feet to a ½" rebar;
Thence North 01°53'26" East for a distance of 215.71 feet to a ½" rebar;
Thence North 87°07'59" East for a distance of 195.75 feet to a ½" rebar;
Thence South 05°30'57" East for a distance of 228.68 feet to a ½" rebar;
Thence South 05°30'57" East for a distance of 38.49 feet to a ½" rebar;
Thence South 89°44'30" West along the South line of Section 12, for a distance of 229.68 feet,
To the Point of Beginning.

Said property contains 1.28 acres, more or less and is subject to an access easement being more particularly described as follows:

Beginning at the Southwest Corner of the said SE¼SW¼ of said Section 12, T. 12 S., R. 24 E., B.M., said corner marked by a 5/8" rebar; Thence North 89°44'30" East along the South line of Section 12 for a distance of 766.54 feet to the Point of Beginning;
Thence North 01°53'26" East for a distance of 262.36 feet;
Thence South 76°00'04" East for a distance of 20.44 feet to a ½" rebar;
Thence South 01°53'26" West for a distance of 215.71 feet to a ½" rebar;
Thence South 01°53'26" West for a distance of 41.61 feet to the South line of Section 12;
Thence South 89°44'30" West along the South line of Section 12, for a distance of 20.00 feet,

To the Point of Beginning.

Tract IV:

Cassia County, Idaho:

Township 12 South, Range 24 East of the Boise Meridian:

That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12, Township and Range, aforesaid, and further described as follows:

Beginning at the Southwest Corner of the said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 12 S., R. 24 E., B.M., said corner being marked by a 5/8" rebar; Thence North 89°44'30" East along the South line Section 12, for a distance of 1016.22 feet to the Point of Beginning;
Thence North 05°30'57" West for a distance of 38.49 feet to a 1/2" rebar;
Thence North 05°30'57" West for a distance of 228.68 feet to a 1/2" rebar;
Thence North 05°30'57" West for a distance of 233.43 feet to a 1/2" rebar;
Thence North 88°51'46" East for a distance of 1566.01 feet to a 1/2" rebar;
Thence North 88°51'46" East for a distance of 91.82 feet to the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South 00°25'08" West along the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 503.85 feet to a 5/8" rebar at the Southeast Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South 88°51'46" West along the South line of Section 12, for a distance of 1311.00 feet to a 5/8" rebar at the Southwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South 89°44'30" West along the South line of Section 12, for a distance of 294.96,
To the Point of Beginning.

Said property contains 18.85 acres more or less and is subject to a county road right of way along the South side and subject to any other easements or rights of way, existing or of record.

Tract V:

Cassia County, Idaho:

Township 12 South, Range 24 East for the Boise Meridian:

That part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 24, and all of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13 of Township 12 South, Range 24 East of the Boise Meridian, and further described as follows:

Beginning at the Northeast Corner of Section 24, Township 12 South, Range 24 East of the Boise Meridian, said corner marked by a US BLM iron pipe with brass cap which shall be the Point of Beginning;
Thence South 00°18'39" West along the East line of Section 24 for a distance of 654.17 feet to a 5/8" rebar;
Thence South 89°50'05" West for a distance of 1306.79 feet to a 5/8" rebar on the West line of the E $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence North 00°13'15" East along the West line of the E $\frac{1}{2}$ NE $\frac{1}{4}$ for a distance of 657.85 feet to a 5/8" rebar at the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$;

Thence North 00°11'33" East along the West line of the SE¼SE¼ of Section 13 for a distance of 1315.01 feet to a 5/8" rebar at the Northwest Corner of the SE¼SE¼;
Thence North 89°57'29" East for a distance of 1271.85 feet to a ½" rebar set;
Thence North 89°57'29" East along the said line for a distance of 35.14 feet to a 5/8" rebar at the Northeast Corner of the SE¼SE¼;
Thence South 00°09'16" West along the East line of Section 13 for a distance of 1315.88 feet,
To the Point of Beginning.

Said property contains 59.17 acres more or less and is subject to any easements or right of ways, existing or of record.

Tract Vi:

Cassia County, Idaho:

Township 12 South, Range 24 East of the Boise Meridian:

Section 13: NE¼NW¼.

Said property contains 39.69 acres more or less and is subject to a county road right of way along the North side and subject to any other easements or rights of way, existing or of record.

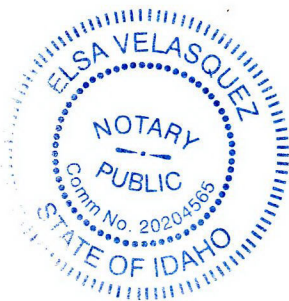
DATED: April 19, 2022.

The Helen Sorensen Trust U/A DTD 04/22/2014,
and Amended by First Amendment to the Trust
of Helen Sorensen dated the 21st day of
January, 2020

ViAnn Hayes Successor
ViAnn Hayes, Successor Trustee Trustee

STATE OF IDAHO)
 ss.
County of Cassia)

On this 19th day of April, 2022, before me, a Notary Public in and for said State, personally appeared **ViAnn Hayes**, known or identified to me to be the person whose names is subscribed to the within Instrument, as Successor Trustee of **The Helen Sorensen Trust U/A DTD 04/22/2014, and Amended by First Amendment to the Trust of Helen Sorensen, dated the 21st day of January, 2020**, and acknowledged to me that she executed the same as such Trustee.



Elsa Velasquez
Notary Public for the State of Idaho
Residing at: Heyburn, ID
My Commission Expires: 11-16-2026

OCT 31 2022

DEPT. OF WATER RESOURCES
SOUTHERN REGION

REVOCABLE DECLARATION OF TRUST
OF DANIEL L. HAYES and VIANN HAYES

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned Trustees, DANIEL L. HAYES and VIANN HAYES, residing at 32 West 5878 South, Murray, Utah 84107, having purchased or declared our intention to purchase certain assets, do hereby direct that such assets be issued in our names as Co-Trustees, and declare that we shall hold such assets and any other property such as, but in no way limited to bank accounts, stocks, bonds, contracts, promissory notes, mortgage proceeds, choses in action, or any other assets which we deem appropriate in the TRUST which said property or other assets may be added to the TRUST and such income as may be accumulated hereunder (herein collectively called the Trust Estate) in TRUST for the use and benefit of the beneficiaries hereinafter named under the following terms and conditions:

1. As Co-Trustees we shall have the right to sell, assign, transfer, invest, reinvest, and otherwise deal in the Trust Estate, or any part thereof, on such terms as we shall deem appropriate; and, as Co-Trustees, to receive additional shares of such property from whatever source which shall be added to the Trust Estate.

2. During our lifetime the income from the Trust Estate, including distribution of realized capital gains or such other payments of income or principal as we shall specify from time to time, shall be payable to us individually for our personal use and account.

3. Upon our death and demise and after payment of all of our debts and obligations of our last illness and reasonable funeral expenses, we direct that the Successor Trustee shall transfer, set over, and deliver the following property of the Trust Estate as follows:

a. Certain items of personal property may be distributed in accordance with the provisions of Exhibit "A", attached hereto and incorporated herein for all purposes.

b. The rest and residue of the Trust Estate shall be distributed as follows:

ASHLIN RENO 50%
(Daughter) 5932 South Sultan Circle
Murray, Utah 84107

ALEXIE HAYES 50%
(Daughter) 5932 South Sultan Circle
Murray, Utah 84107

If at the time of the death of the Co-Trustees a beneficiary is under the age of twenty-five (25) years of age, his/her respective share shall not be distributed until such age is attained. However, the Successor Trustee shall have the right to distribute such sums in her/his sole discretion necessary for the health, welfare and education of such beneficiary.

4. In the event that the Trustee and beneficiaries should die simultaneously, any and all of the Trust assets upon termination of the Trust shall be distributed to the beneficiaries' living issue per stirpes.

5. In the event a named beneficiary shall predecease us, the indicated proportion of the Trust assets to which she/he would have otherwise been entitled upon our death shall upon termination of the Trust be distributed as set forth in Paragraph 4 above.

6. In the event all of the above named beneficiaries predecease us, the Trust shall terminate and the then Trust assets shall revert to us free and clear of the terms of this Trust.

7. We, the undersigned Trustors, reserve the right to change beneficiaries and their respective interests or to revoke this Trust in whole or part at any time prior to termination by a written instrument signed by me, which shall be attached hereto.

8. In case of death or legal incapacity of one of the Co-Trustees to act, the remaining Co-Trustee shall have the full right and power to fulfill the aims, purposes and designs of the Trust including execution of any amendments as the surviving Co-Trustee may deem appropriate. In case of our death or incapacity to act as Co-Trustees prior to the termination of this Trust, we hereby appoint, ASHLIN RENO as Successor Trustee, to serve without bond, with all the powers herein reserved to us except the powers of modification and revocation. In the event that Ashlin Reno cannot serve as Successor Trustee, we hereby appoint ALEXIE HAYES as Second Successor Trustee, to serve without bond, with all the powers herein reserved to us except the powers of revocation, and title to the Trust Estate shall vest in said Trustee subject to that Trust. However, in the event of incompetency or death of the Trustors, this Trust shall become irrevocable and shall not be subject to amendment or revocation. Legal incapacity shall be determined by a doctor licensed to practice medicine in the state of domicile. A determination of incapacity by a court of law is not necessary for the purposes of this Trust.

9. This Trust has been executed by me in the state of Utah, and its validity, construction, and effect shall be governed by the laws of the State of Utah.

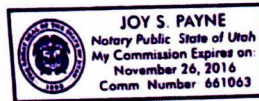
WITNESS, our hands and seals this 5th day of March, 201⁵4.

Daniel L. Hayes
DANIEL L. HAYES

Viann Hayes
VIANN HAYES

STATE OF UTAH)
 :SS
County of Salt Lake)

On this 5th day of March, 201⁵4, personally appeared before me, DANIEL L. HAYES and VIANN HAYES, to me known to be the persons described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.



Joy S. Payne
NOTARY PUBLIC
Residing in Salt Lake Co., Utah.

(SEAL)



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 08, 2022

DANIEL L & VIANN HAYES TRUST
32 W 5878 S
MURRAY UT 84107-5956

Re: Change in Water Right Ownership: 45-14527 (Split into 45-14527 and 45-14552), 45-14525 (Split into 45-14525 and 45-14550), 45-14528 (Split into 45-14528 and 45-14553), 45-14526 (Split into 45-14526 and 45-14551), and 45-10547 (not split)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

Please note, D.L. Evans Bank is identified as a security interest holder on rights 45-14525 and split portion; and 45-14526 and split portion. If this is no longer correct, it can be removed from the right upon written notice from the security interest holder that the interest has terminated.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a long, sweeping horizontal line extending to the right.

Jim Bitzenburg
Water Rights Supervisor

Enclosure(s)

CC: Helen Sorensen Trust; D. L. Evans Bank; WD-45F

Bitzenburg, James

From: ViAnn Hayes <vando1313@gmail.com>
Sent: Monday, October 31, 2022 10:01 AM
To: Bitzenburg, James
Subject: REVOCABLE DECLARATION OF TRUST
Attachments: REVOCABLE DECLARATION OF TRUST.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hope this what you need.
Thanks,
ViAnn Hayes

Sent from my iPhone



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 25, 2022

DANIEL L & VIANN HAYES
32 W 5878 S
MURRAY UT 84107

Re: Change of Ownership for Rights 45-10547, 45-14525, 45-14526, 45-14527, & 45-14528

Dear Dan and ViAnn:

Last week I started working on the *Notice of Change in Water Right Ownership* that you submitted to our office on your visit on October 11, and in my review of the application, realized that our guidance for processing ownership changes into trusts has changed, and we will need more information from you in order to process the Notice. We will need either a copy of the trust documents or a 'certification of trust' in order to process the Notice. I have enclosed a copy of the IDWR guidance document; the pertinent information is found on page 13. If you could email the documents to me, it would speed the process greatly. My email address is: james.bitzenburg@idwr.idaho.gov.

If you have any questions feel free to contact me at 208-293-9909.

Sincerely,

Jim Bitzenburg
Water Rights Supervisor

Enclosure