

RECEIVED

FEB 22 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP DEPT. 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. 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?
75-10689	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-10643	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-10643	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cynthia and John McFrederick
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Simmons Exemption Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

245 East Three Fountains Drive Provo UT 84604
Mailing address 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: October 12, 2016 Inst # 303494
Inst # 250664

6. Do you own the land identified as the water right place of use? ownership Inst #
☐ 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.

SUPPORT DATA

IN FILE # 75-10643

8. Signature: [Signature] 2-22-24
Signature of new owner/claimant Title, if applicable Date

Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

Received by M. Pettis Date 2-22-24 For IDWR Office Use Only: \$50.- for this app.
Receipt No. E049824 Receipt Amt. 150.00

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 [Signature] Processed by [Signature] Date 2/29/2024



WARRANTY DEED

Karen Christensen, Trustee of the Karen Christensen Trust Dated May 6, 2010

GRANTOR(S) for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration in hand paid by

Marrue K. Simmons, Trustee, SIMMONS EXCEPTION TRUST U/A/D August 20, 1997,

GRANTEE(S), of, 252 East 400 North Centerville, Utah 84014

hereby CONVEYS AND WARRANTS unto said GRANTEE(S), the following lands lying in Lemhi County, Idaho

See Attached Exhibit A

TOGETHER WITH the appurtenant undivided interest in the Common Areas and all the rights incident to the ownership of a Unit and all the limitations on such ownership as described in said Declaration, including all appurtenant and undivided interest and all rights and limitations arising as a result of any expansion of the Project pursuant to Paragraph 23, of the above mentioned Declaration.

TOGETHER WITH all rights, privileges and appurtenances belonging or in anywise appertaining thereto, being subject, however, to easements, rights of way, restrictions, etc., of record.

*This document is being rerecorded to include a mailing address for tax purposes.

TAX SERIAL NO.

WITNESS our hands on this 11th day of October, 2016

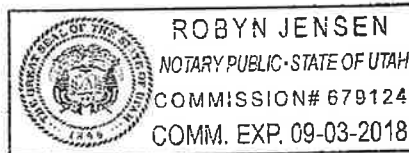
 Trustee
Karen Christensen, Trustee

State of Utah)
 :SS
County of Utah)

On this 11th day of **October**, 2016, before me, a notary public, personally appeared **Karen Christensen, Trustee** personally known to me to be the person(s) whose name(s) is (are) subscribed to on this instrument, and acknowledge that they executed the same.

 Notary Public

Commission Expiration:
Residing in;



A PARCEL OF LAND LOCATED IN THE SE ¼, SECTION 31, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID SECTION 31 FROM WHICH THE NE CORNER OF SECTION 31 BEARS N 00°03'02" E, 5283.85 FT., THE BASIS OF BEARING OF THIS DESCRIPTION; RUN THENCE N 69°38'52" W A DISTANCE OF 2271.56 FT TO A POINT IN AN EXISTING FENCE LINE SAID POINT BEING THE POINT OF BEGINNING;

THENCE N 85°08'26" W ALONG SAID FENCE A DISTANCE OF 213.34 FT. TO A POINT ON THE EASTERLY BANK OF THE SALMON RIVER; THENCE N 05°35'27" W ALONG SAID EASTERLY BANK A DISTANCE OF 179.89 FT. TO A POINT IN SAID EXISTING FENCE LINE;

THENCE ALONG SAID FENCE LINE THE FOLLOWING COURSES: N 86°51'58" E, 59.76 FT; S 76°07'29" E, 150.44 FT; S 82°50'57" E, 86.98 FT; S 21°58'40" W, 165.50 FT TO THE POINT OF BEGINNING.

SUBJECT TO A 20.00 FT. WIDE INGRESS AND EGRESS EASEMENT, 10.00 FT. EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE POINT OF BEGINNING OF THE ABOVE DESCRIBED PARCEL RUN THENCE N 85°08'26" W, 150.18 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N 04°03'54" E, 179.82 FEET TO THE POINT OF TERMINUS.

Warranty Deed

For Value Received

John R. McFrederick, a single man
the grantor, does hereby grant, bargain, sell and convey unto

Karen C. Sorensen, an unmarried person

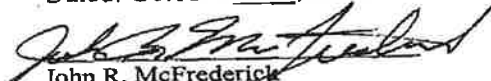
whose current address is
10456 N. Aberdeen Lane
Highland, UT 84003

the grantee, the following described premises, to-wit:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October ____, 2006


John R. McFrederick

STATE OF IDAHO, COUNTY OF LEMHI

On this 2nd Day of November, 2006,
before me, a notary public in and for said State, personally
appeared

John R. McFrederick

known to me to be the person whose name is subscribed to
the within instrument, and acknowledged to me that he
executed the same.



Notary Public
Residing at: Salmon, Idaho
Comm. Expires: 11-15-2011

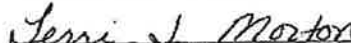


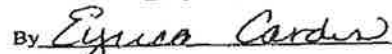
INSTRUMENT NO: **269528**

STATE OF IDAHO, COUNTY OF LEMHI

I hereby certify that this instrument was filed
for record at the request of Lemhi Title

at 03 minutes past 3 o'clock pm.,
this 2nd day of Nov
2006, in my office, and duly recorded in Book
of Deeds in Lemhi County.


Ex-Officio Recorder

By  Deputy

Fees \$ 6.00
Mail to: A-T

Exhibit "A"

269528

Taylor Mountain Surveying
903 Waller Street
Salmon, Idaho 83467
(208) 756-8321

PARCEL DESCRIPTION

A parcel of land located in the SE ¼, Section 31, T. 23 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SE Corner of said Section 31 from which the NE Corner of Section 31 bears N 00°03'02" E, 5283.85 ft., the Basis Of Bearing of this description, run thence N 69°38'52" W a distance of 2271.56 ft. to a point in an existing fence line said point being the POINT OF BEGINNING;

Thence N 85°08'26" W along said fence a distance of 213.34 ft. to a point on the easterly bank of the Salmon River;

Thence N 05°35'27" W along said easterly bank a distance of 179.89 ft. to a point in said existing fence line;

Thence along said fence line the following courses:

N 86°51'58" E, 59.76 ft.; S 76°07'29" E, 150.44 ft.;

S 82°50'57" E, 86.98 ft.; S 21°58'40" W, 165.50 ft. to the POINT OF BEGINNING.

Subject to a 20.00 ft. wide ingress and egress easement, 10.00 ft. each side of the following described centerline:

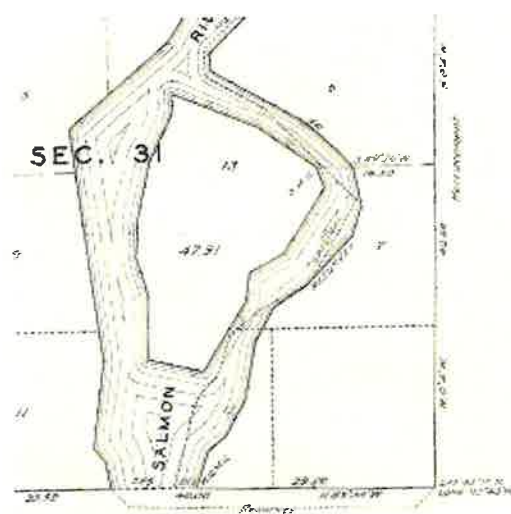
Commencing at the POINT OF BEGINNING of the above described parcel run thence N 85°08'26" W, 150.18 feet to the POINT OF BEGINNING of said easement:

Thence N 04°03'54" E, 179.82 feet to the POINT OF TERMINUS.



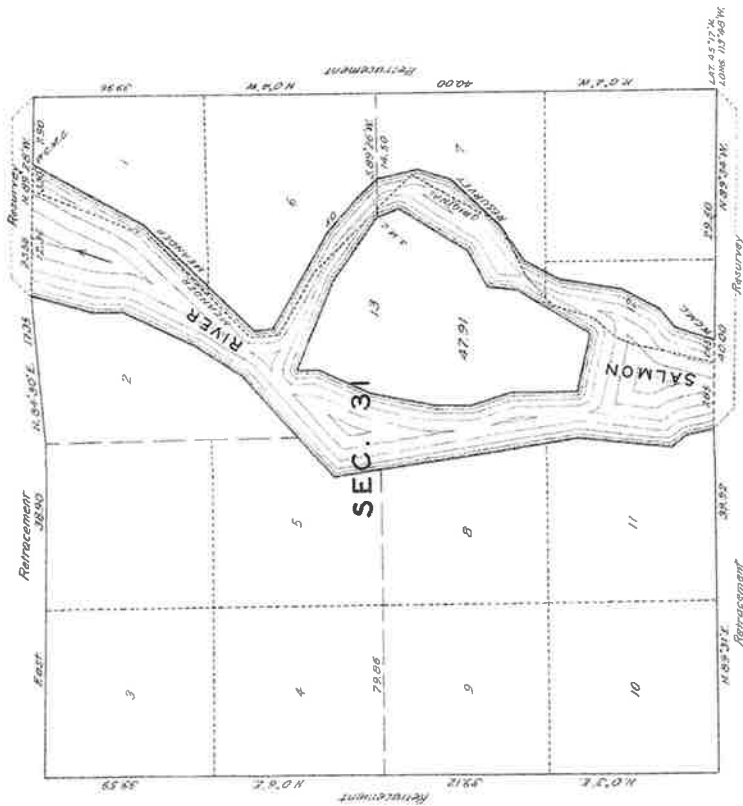


1947 image ? (printed or scanned?)



ISLAND IN SECTION 31,
TOWNSHIP N^o 23 NORTH, RANGE N^o 22 EAST OF THE BOISE MERIDIAN, IDAHO.

1926



Mean Magnetic Declination, 20° E.
Scale: 10 Chains to an inch
Area Surveyed, 47.91 Acres Additional

LINES DESIGNATED	BY WHOM SURVEYED	NO.	DATE	GROUP	MILEAGE	WHEN SURVEYED	
						ALL	COMPLETED
Exterior	H. G. Bardsley	186	June 12, 1925	1	78.63	1	78.63
Subdivisional				2	79.63	5	7
Meander				2	35.10	5	7
Miscellaneous				0	14.50	7	7

Office of U.S. Supervisor of Surveys
Denver, Colorado, January 14, 1926
The above plat of Township N^o 23 North, Range N^o 22 East of the Boise Meridian, Idaho, is strictly conformable to the field notes of the survey thereof which have been examined and approved

Smith
U.S. Supervisor of Surveys

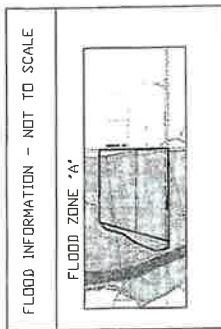
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Washington, D.C. June 8, 1926
The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this office, is hereby accepted.

Harrell
Assistant Commissioner

Part of the SE 1/4 of Section 31, T 23 N, R 22 E, BM Lemhi County, Idaho.

NOTE: THE PURPOSE OF THIS SURVEY IS TO RELOCATE COMMON BOUNDARIES BETWEEN ADJOINING PROPERTY OWNERS.
NO NEW PARCELS ARE BEING CREATED, THEREFORE THIS SURVEY IS EXEMPT FROM LOT SPLIT REVIEW.



FLOOD INFORMATION - NOT TO SCALE

C. P. & F. INST.
NO. 166133

NUMBER	DIRECTION	DISTANCE
L1	N 20°02'55" W	114.95'
L2	N 09°53'57" W	155.43'
L3	N 01°39'23" W	18.03'
L4	N 22°47'06" E	16.21'
L5	N 27°13'17" E	21.75'
L6	N 35°32'46" E	27.31'
L7	N 18°35'37" E	125.58'
L8	N 16°52'39" E	151.11'
L9	N 15°52'29" E	124.97'
L10	N 22°57'17" E	151.13'
L11	N 27°04'48" E	137.53'
L12	N 41°51'24" E	57.07'

SEE: RODS INST. NO 285822 BOOK 18 PAGE 53

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REMAINDER PARCEL "A" CONTAINS 54.52 ACRES
ZERO SPLITS REMAIN

OLD LOT LINE

300 FOOT +/- RIVER SETBACK

60 FOOT ROAD AND UTILITY EASEMENT

LIMBERG LANE

300 FOOT +/- RIVER SETBACK

60 FOOT ROAD AND UTILITY EASEMENT

LIMBERG LANE

300 FOOT +/- RIVER SETBACK

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2002

250664

AMENDED
STATE OF IDAHO

Disclaimer of Interest No. 157

THE STATE OF IDAHO, Department of Lands, 954 W. Jefferson Street, P.O. Box 83720, Boise, Idaho 83720-0050, acting by and through the **STATE BOARD OF LAND COMMISSIONERS**, does hereby release and disclaim to **THE SIMMONS FAMILY TRUST, MARRUE K. SIMMONS TRUSTEE** of 245 East Three Fountains Drive, Provo, Utah 84604, her heirs, successors in interest, assigns, all interests to the following described parcel of accretion land situated and/or adjacent to a portion of Government Lots 6, 7, 12, and 13 in Section 31, Township 23 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, being more particularly described as follows:

Commencing at the southeast corner of Section 31, Township 23 North, Range 22 East, Boise Meridian; thence North 89°34' West a distance of 1,947.00 feet along the south boundary of said Section 31 to a point, said point being the witness meander corner of the former channel of the east (right) bank of the Salmon River between said Section 31 and Section 6, Township 22 North, Range 22 East, Boise Meridian, said point being the **REAL POINT OF BEGINNING**; thence North 20°22'44" West a distance of 1,131.24 feet to the southwest corner of Government Lot 13 (which is a former island in the Salmon River) as shown on the 1925 re-survey of said Section 31; thence along a survey line which is the east boundary of said Government Lot 13 and the west boundary of a former channel of the Salmon River as indicated on the 1925 re-survey the following courses and distances; South 77°00' East, 462.00 feet; thence North 31°00' East, 660.00 feet; thence North 5°00' East, 237.60 feet; thence North 62°00' East, 330.00 feet; thence North 32°00' East, 627.00 feet; thence North 20°00' West, 178.20 feet to a special meander corner as indicated on the 1925 re-survey, the east one quarter (1/4) corner of said Section 31 being located North 89°26' East, 957.00 feet; thence continuing along the east boundary of Government Lot 13; thence North 57°00' West, 620.40 feet; thence North 68°00' West, 726.00 feet to the northwest corner of said Government Lot 13 as indicated on the 1925 re-survey; thence North 45°24'57" East, 437.58 feet leaving the survey of Government Lot 13 to a point, said point being a point of intersection of the current ordinary high water mark of the Salmon River and the east boundary of the former channel of the Salmon River; thence along the east boundary of the east (right) bank of the former channel of the Salmon River the following courses and distances; South 8°00' East, 125.40 feet; thence South 60°00' East, 858.00 feet; thence South 50°00' East, 376.20 feet; thence South 46°00' East, 171.60 feet; thence South 11°00' East, 330.00 feet; thence South 16°00' West, 264.00 feet; thence South 43°00' West, 528.00 feet; thence South 56°30' West, 330.00 feet; thence South 26°00' West, 330.00 feet; thence South 9°00' West, 462.00 feet; thence South 28°00' West, 330.00 feet; thence South 51°00' West, 191.40 feet; thence South 19°00' West, 323.40 feet returning to the real point of beginning, the above described area containing 32.23 acres, more or less.

SUBJECT TO all existing easements and road rights-of-way of record or appearing on the above described parcel of land.

This disclaimer of interest was approved by the State Board of Land Commissioners on September 14, 1999.

By this document, the state is disclaiming all title and interest to the previous channel of the Salmon River as described above which is now dry riverbed.

EXECUTED this 28th day of May, 2002.

STATE BOARD OF LAND COMMISSIONERS

Dirk Kempthorne
Governor of the State of Idaho and President of the
State Board of Land Commissioners

COUNTERSIGNED:

Pete T. Cenarrusa
Secretary of State

Winston A. Wiggins
Director, Idaho Department of Lands



STATE OF IDAHO)
(ss.
County of Ada)

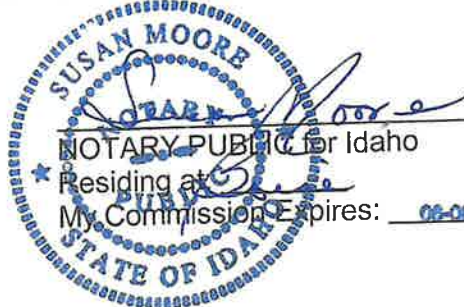
State of Idaho) SS No. 250664
County of Lemhi)

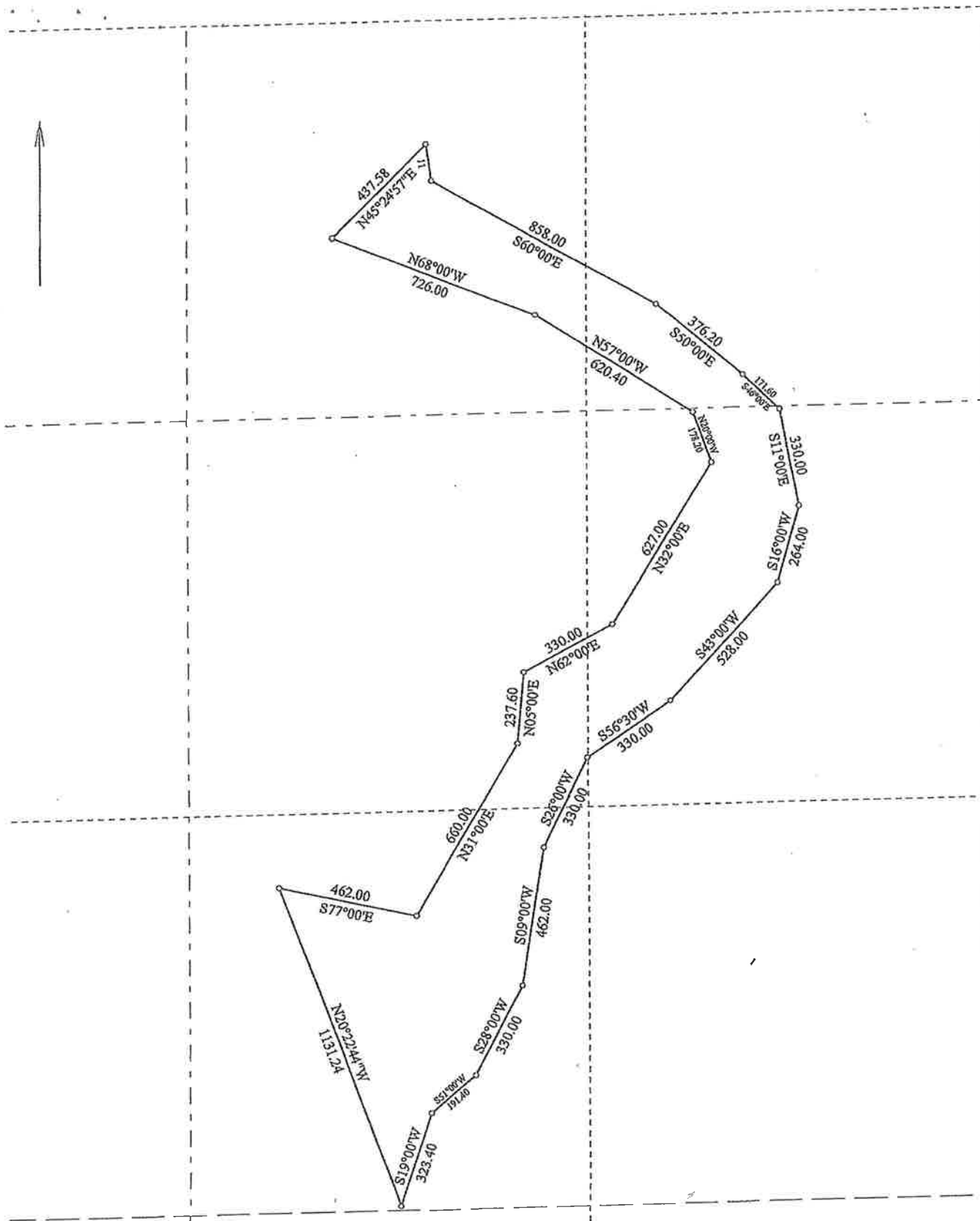
This Instrument was filed for record at the request
of Idaho Dept of Lands
at 3:00 o'clock p.m. 3 June 2002
and duly filed and indexed in the records of Lemhi
County
Terri J. Morton
Ex-Officio Recorder

By K. Baumert Deputy
Fee 0
Return to _____

On this 28th day of May, 2002, before me, a Notary Public in and for said State, personally appeared **DIRK KEMPTHORNE**, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; **PETE T. CENARRUSA**, known to me to be the Secretary of State of the State of Idaho; and **WINSTON A. WIGGINS**, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.





Title: INST#250664

Date: 12-10-2020

Scale: 1 inch = 440 feet

File: IDAHO TO SIMMONS.des

DISCLAIMER OF INTEREST

In former channel of Salmon River adjacent to our property in Section 31, Township 23 North, Range 22 East, Boise Meridian, Salmon, Idaho.

We, Matt Yakovac and Evelyn Yakovac, are not interested in claiming a portion of the Old Salmon River Channel, to the East, adjacent to our property, which is now owned by the State of Idaho. We relinquish claim on any of the State Land in that old channel to the property of Boyd K. Simmons and MarRue K. Simmons property, which is South and West of said River Channel.

Signed Matt Yakovac

Date: Jan 13 1999

Signed Evelyn Yakovac

Date: Jan 13 - 1999

IN WITNESS WHEREOF,

Seal:

The said parties have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered in presence of

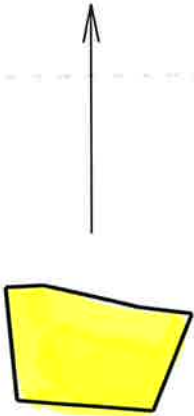
STATE OF IDAHO

County of Lemhi

On this 13th Day of January In the year 1999.
Before me, a Notary Public in and for said State, personally appeared known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he 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.

Robert M. Havers
Notary Public Residing at
Salmon Lemhi Co Idaho

My Commission expires Nov 28, 2002



2/22/2024

Scale: 1 inch= 303 feet

File:

Tract 1: 1.0019 Acres (43644 Sq. Feet), Closure: n73.4415e 0.01 ft. (1/66743), Perimeter=856 ft.

01 /se,31,23n,22e
02 /n69.3852w 2271.56
03 n85.0826w 213.34
04 n05.3527w 179.89
05 n86.5158e 59.76
06 s76.0729e 150.44
07 s82.5057e 86.98

08 s21.5840w 165.50



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

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Governor Brad Little

Director Mathew Weaver

February 29, 2024

SIMMONS EXCEPTION TRUST
245 THREE FOUNTAINS DR
PROVO UT 84604-5470

Re: Change in Ownership for Water Right No(s): 75-10643, 75-10689

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 Baily
Technical Records Specialist 1

Enclosure(s)