

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 27 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. 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?
35-13080 OK update	Yes ☐	Yes ☐	1-10428 OK	Yes ☐	Yes ☐
1-10436 OK	Yes ☐	Yes ☐	1-10426 OK	Yes ☐	Yes ☐
1-10434 OK	Yes ☐	Yes ☐	1-10424 OK	Yes ☐	Yes ☐
1-10432 OK	Yes ☐	Yes ☐	1-10422 OK	Yes ☐	Yes ☐
1-10430 OK	Yes ☐	Yes ☐	1-10420 OK	Yes ☐	Yes ☐

2. Previous Owner's Name: Kyle Hugo
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brett and Tonya Simms
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1881 W 113 N Idaho Falls ID 83402
Mailing address City State Zip
2083393492 btsimms@gmail.com
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: 7/21/2023
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.

SUPPORT DATA

IN FILE #

1-10420

8. Signature: [Signature] Owner 7/26/2023
Signature of new owner/claimant Title, if applicable Date
Brett Simms
Print name
- Signature: [Signature] Owner 7/26/2023
Signature of new owner/claimant Title, if applicable Date
Tonya Simms
Print name

Received by JB Date 7/27/2023 For IDWR Office Use Only: Receipt No. 1049378 Receipt Amt. \$250.-
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 8/1/2023



Instrument # 1751009
Bonneville County, Idaho Falls, Idaho
07/21/2023 02:36:17 PM No. of Pages: 1
Recorded for: AMERITITLE - IDAHO FALLS
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Dwoolf
Index to: DEED, WARRANTY

WARRANTY DEED

Order No.: 588170AM

FOR VALUE RECEIVED

Kyle Hugo, an unmarried man who took title as a married man as his sole and separate property
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Brett Simms and Tonya Simms, husband and wife

whose current address is:
1881 W 113th N
Idaho Falls, ID 83402

the grantee(s), the following described premises, in Bonneville County, Idaho,
TO WIT:

A parcel of land situated in Bonneville County, State of Idaho, Township 3 North, Range 37 East of the Boise Meridian, Section 14:
Beginning at the Northeast corner of said Section 14; thence S90°00'00"W along the North line of said Section 14 for a distance of 1590.64 feet to the true point of beginning; thence S00°26'34"E for a distance of 997.27 feet; thence S22°05'10"W for a distance of 498.87 feet; thence S88°45'19"W for a distance of 274.00 feet; thence N44°32'20"W for a distance of 298.00 feet; thence N14°51'13"E for a distance of 310.00 feet; thence N42°31'36"E for a distance of 237.97 feet; thence N48°09'10"E for a distance of 108.82 feet; thence N89°04'55"E for a distance of 180.02 feet; thence N00°38'44"W for a distance of 353.33 feet; thence N00°02'30"E for a distance of 349.24 feet to the North line of said Section 14; thence N90°00'00"E for a distance of 165.17 feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 20, 2023



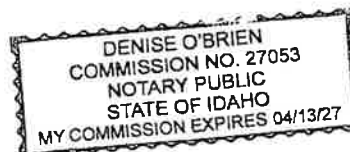
Kyle Hugo

State of Idaho } ss
County of Bonneville)

On this 20 day of July, 2023, before me, the undersigned a Notary Public in and for said state, personally appeared Kyle Hugo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.



Notary Public for the State of Idaho
Residing at:
Commission Expires:





TitleOne
a title & escrow co.

File # 20394856

Quitclaim Deed

For value received, **Kortney Hugo, spouse of Kyle Hugo**

Does hereby convey, release, remise, and forever quit claim unto

Kyle Hugo, a married man as his sole and separate property

whose current address is 1881 W 113 N, Idaho Falls, ID 83402,

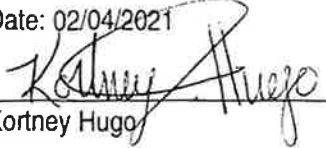
the following described premises:

A parcel of land situated in Bonneville County, State of Idaho, Township 3 North, Range 37 East of the Boise Meridian, Section 14:

Beginning at the Northeast corner of said Section 14; thence S90°00'00"W along the North line of said Section 14 for a distance of 1590.64 feet to the true point of beginning; thence S00°26'34"E for a distance of 997.27 feet; thence S22°05'10"W for a distance of 498.87 feet; thence S88°45'19"W for a distance of 274.00 feet; thence N44°32'20"W for a distance of 298.00 feet; thence N14°51'13"E for a distance of 310.00 feet; thence N42°31'36"E for a distance of 237.97 feet; thence N48°09'10"E for a distance of 108.82 feet; thence N89°04'55"E for a distance of 180.02 feet; thence N00°38'44"W for a distance of 353.33 feet; thence N00°02'30"E for a distance of 349.24 feet to the North line of said Section 14; thence N90°00'00"E for a distance of 165.17 feet to the true point of beginning.

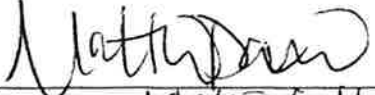
To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

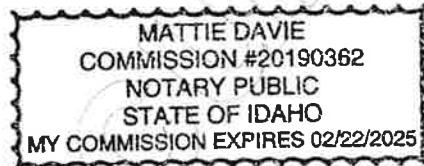
Date: 02/04/2021


Kortney Hugo

State of Idaho, County of Bonneville, ss.

On this 8th day of February in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Kortney Hugo known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Residing at: Idaho Falls, ID Notary Public
My Commission Expires: 02/22/2025
(seal)





Order Number: 20394856

Warranty Deed

For value received,

Joshua Keith Roberts and Krista Richelle Roberts, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Kyle Hugo, a married man as his sole and separate property

whose current address is 1881 W 113 N Idaho Falls, ID 83402

the grantee, the following described premises, in Bonneville County, Idaho, to wit:

A parcel of land situated in Bonneville County, State of Idaho, Township 3 North, Range 37 East of the Boise Meridian, Section 14:

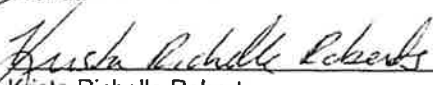
Beginning at the Northeast corner of said Section 14; thence S90°00'00"W along the North line of said Section 14 for a distance of 1590.64 feet to the true point of beginning; thence S00°26'34"E for a distance of 997.27 feet; thence S22°05'10"W for a distance of 498.87 feet; thence S88°45'19"W for a distance of 274.00 feet; thence N44°32'20"W for a distance of 298.00 feet; thence N14°51'13"E for a distance of 310.00 feet; thence N42°31'36"E for a distance of 237.97 feet; thence N48°09'10"E for a distance of 108.82 feet; thence N89°04'55"E for a distance of 180.02 feet; thence N00°38'44"W for a distance of 353.33 feet; thence N00°02'30"E for a distance of 349.24 feet to the North line of said Section 14; thence N90°00'00"E for a distance of 165.17 feet to the true point of beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made

subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

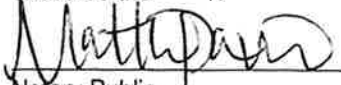
Dated: February 4, 2021


Joshua Keith Roberts


Krista Richelle Roberts

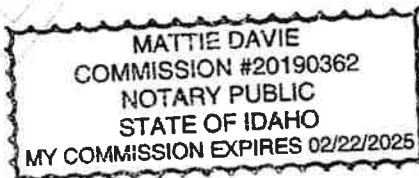
State of Idaho, County of Bonneville, ss.

On this 8th day of February in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Joshua Keith Roberts and Krista Richelle Roberts, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

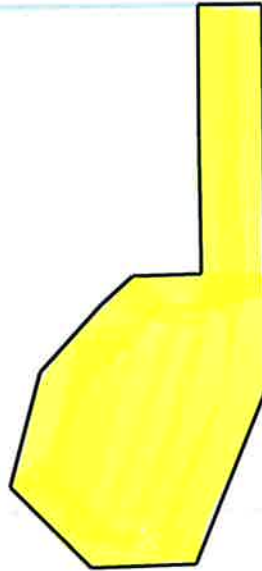

Notary Public

Residing In: Idaho Falls, ID

My Commission Expires: 02/22/2025
(seal)



Brett & Janya Simms Property



7/27/2023

Scale: 1 inch= 500 feet

File:

Tract 1: 11.4688 Acres, Closure: n00.0000e 0.00 ft. (1/786236), Perimeter=3773 ft.

01 /ne,14,3n,37e
02 /s90w 1590.64
03 s00.2634e 997.27
04 s22.0510w 498.87
05 s88.4519w 274.00
06 n44.3220w 298.00
07 n14.5113e 310.00
08 n42.3136e 237.97
09 n48.0910e 108.82

10 n89.0455e 180.02
11 n00.3844w 353.33
12 n00.0230e 349.24
13 n90.0000e 165.17



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

August 01, 2023

BRETT SIMMS
TONYA SIMMS
1881 W 113 N
IDAHO FALLS ID 83402-5251

Re: Change in Ownership for Water Right No(s): 1-10420, 1-10422, 1-10424, 1-10426, 1-10428, 1-10430, 1-10432, 1-10434, 1-10436, 35-13080

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)

cc: WATER DISTRICT 01