

Form 42-00000-100000 July 2000

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



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

RECEIVED

MAR 22 2005

Department of Water Resources
Adjudication Bureau

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
River Spring 42-243	A75-04361				
	A75-04360-RO				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water right or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

R. Sauer & Julie N. Merrill
P.O. Box 252

4. New Owner/Claimant(s)

North Fork, Id 83466

Name Connector (Check one: [] and, [] or, [] neither)

New Mailing Address

Michael M. Fratis, Jr & Shelley M.

City, State and ZIP Code

2100 Manzanita Dr Fratis

New Telephone Number

Rocklin, CA 95677
(916) 624-3712

5. Date you acquired the property

Property Acquired: 12-2-2004

cc: W.A. 3-25-05

-M

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 2, **THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (area, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (area, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

[Signature]
[Signature]

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-04360
Date Received: 5/14/1990
Receipt No: E014522
Received By: _____

COPY

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

AND

Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: JUN 1, 1929

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SE	SW			LEMHI

5. Description of diverting works:
CONCRETE BOX & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		DOMEST	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-04361
Date Received: 10/ 2/1990
Receipt No: E015288
Received By: _____

COPY

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: NOV 17, 1921

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

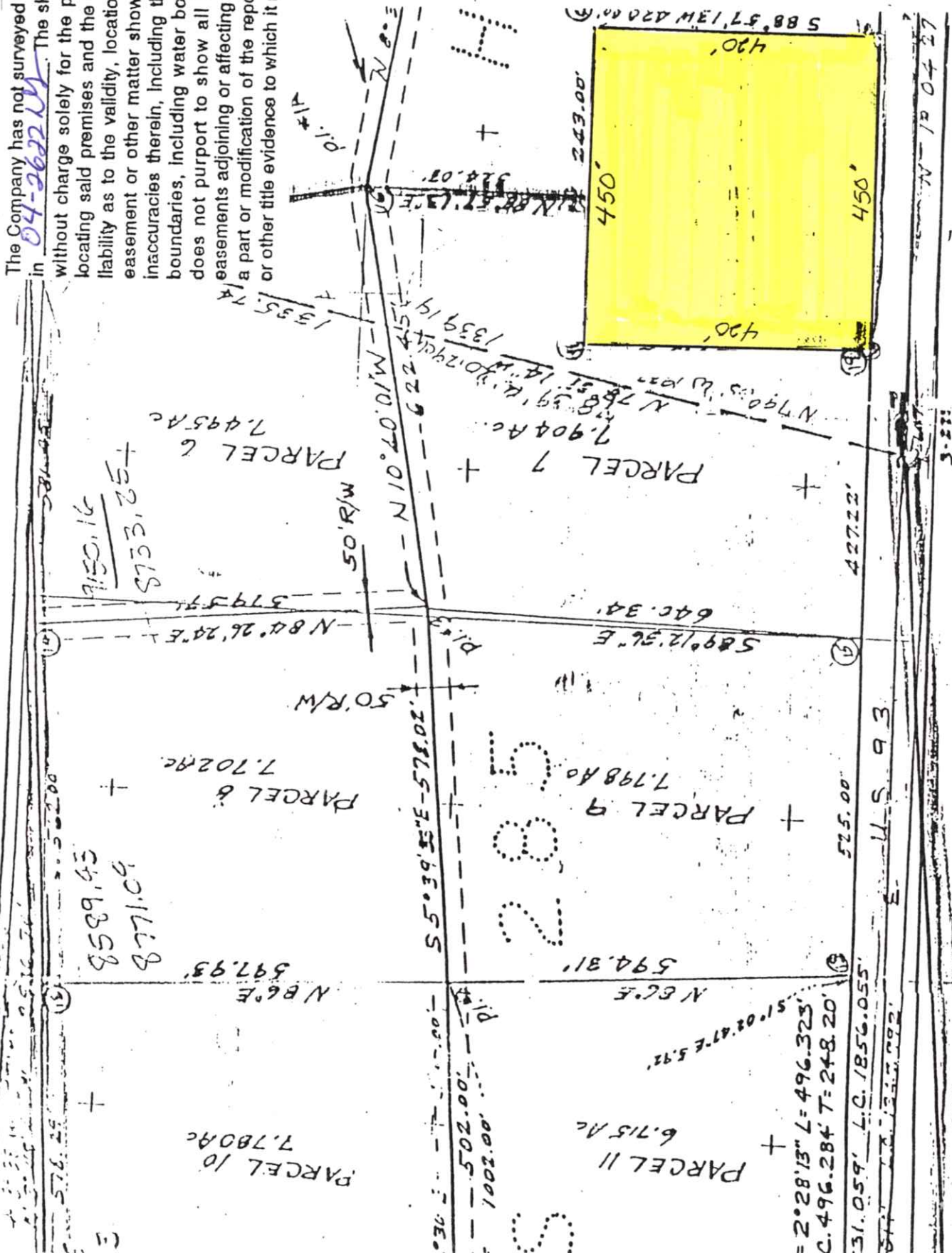
13. Other Water Rights Used:
NONE

14. Remarks:
#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

The Company has not surveyed the premises described in 04-2622. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.



WARRANTY DEED

Order No.:307042622L-G

FOR VALUE RECEIVED

R. Dana Merrill, an unmarried person and Julie N. Merrill, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael A. Fratis, Jr. and Shelley M. Fratis, Husband and Wife

whose current address is

2600 Manzanita Dr. Rocklin, CA 95677

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

A PARCEL OF LAND LOCATED IN H.E.S. NO 647, WHICH IS LOCATED IN APPROXIMATE SECTIONS 28 AND 29 IN T. 25 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 8 OF SAID H.E.S. NO. 647, A DISTANCE OF 171.36 FEET ON A BEARING OF N. 20° 48' 48" W. TO A POINT ON THE WESTERLY R.O.W. OF U.S. HIGHWAY NO. 93 AND THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING A DISTANCE OF 450.00 FEET ON A BEARING OF N. 0° 57' W. ALONG THE WESTERLY R.O.W. OF U.S. HIGHWAY NO. 93;

THENCE S. 89° 03' W., 420.00 FEET;

THENCE S. 0° 57' E., 450.00 FEET;

THENCE N. 89° 03' E., 420.00 FEET TO THE REAL 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: 12/02/2004

R. Dana Merrill
R. Dana Merrill

Julie N. Merrill
Julie N. Merrill
ATTY IN FACT

State of Idaho

County of

Lemhi

} ss.

On this 9th day of December, in the year 20 04 before me, a Notary Public in and for said state, personally appeared R. Dana Merrill & Julie N. Merrill known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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

State of Idaho
County of Lemhi

SS No.

261158

This instrument was filed for record at the request of Alliance Jetty

at 4:10 o'clock p.m. 12-10-2004

and duly filed and indexed in the records of Lemhi County

Terri J. Morton,

Ex-Officio Recorder

By Brenda Outing Deputy

Fee 6.00

Return to AT

Laurie M. Santee
Notary Public for the State of Idaho

Residing at: Salmon

Commission Expires: 6-19-2007



STATE OF IDAHO)
) SS.
COUNTY OF LEMHI)

261158

On this 9th day of December 2004
before me a Notary Public in and for said State,
personally appeared R. Dana Merrill
known to me to be the person whose name is subscribed
to the within instrument as the Attorney In Fact of
Julie N. Merrill and
acknowledged to me that he/she subscribed this name of
Julie N. Merrill thereto as principal,
and his/her own name as Attorney In Fact.

Laurie M Santee
LAURIE M. SANTEE NOTARY PUBLIC
Residing at: Salmon
Comm. Expires: 6-19-2007

