

05/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-7060

NAME AND ADDRESS: RUTH A FRANK LIVING TRUST
C/O RUTH A FRANK
4300 TECH FARM RD
POCATELLO ID 83204-3710

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
31.000 AFY

PRIORITY DATE: 10/12/1970

POINT OF DIVERSION:

T07S R35E S7 NWSWN Lot 2 Within BANNOCK County Source: GROUND WATER

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/15

0.180 CFS

31.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S07 Lot 2 SWNW 8.7

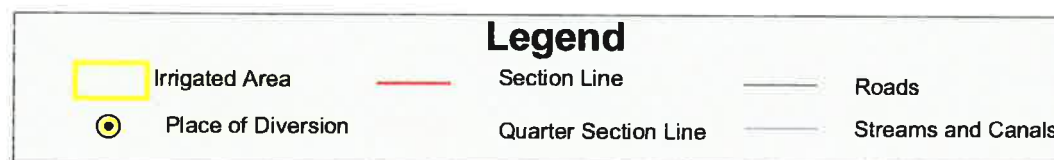
8.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

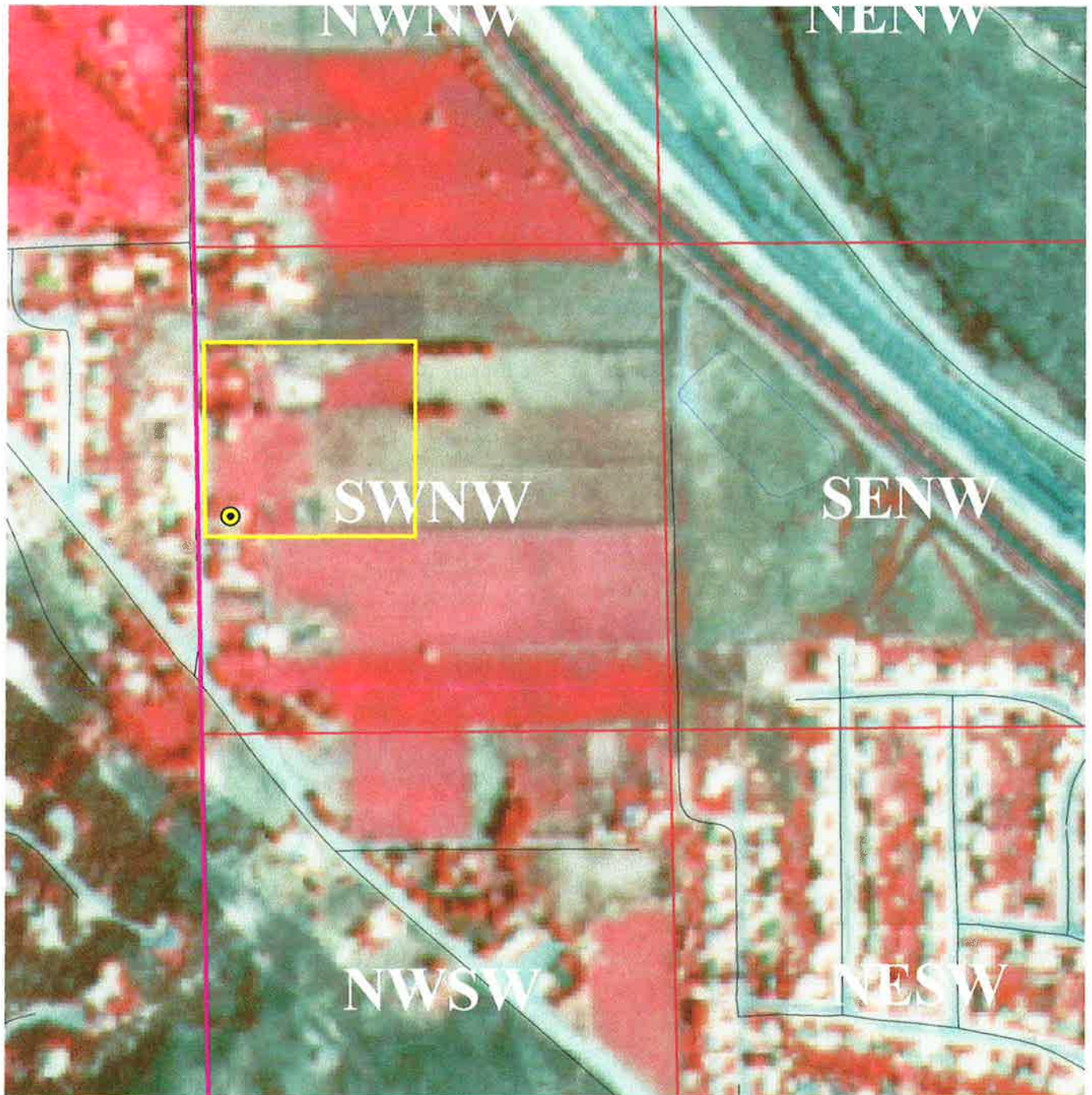
EXPLANATORY MATERIAL: License

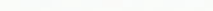
09/06/2000



Water Right Claim Number A29-07060
Township , 7S35E

09/06/2000

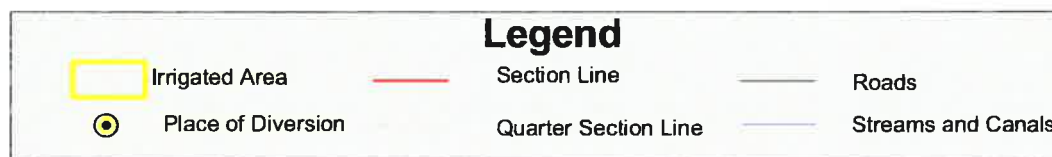


Legend		
	Irrigated Area	 Section Line
	Place of Diversion	 Roads
		 Streams and Canals
		 Quarter Section Line



Water Right Claim Number A29-07060
Township , 7S35E

09/06/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7060 V1

WATER RIGHT NUMBER: 29-7060 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOSEPH H FRANK 4300 TECH FARM RD POCATELLO, ID 83204 (208)232-8585
Current Owner	RUTH A FRANK LIVING TRUST 4300 TECH FARM RD POCATELLO, ID 83204-3770 (208) 232-8585

Priority Date: 10/12/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.180 CFS	31.00 AF
	<u>Total Diversion:</u>	0.180 CFS	31.00 AF

Location of Point(s) of Diversion

GROUND WATER	L2 NW1/4SW1/4NW1/4	Sec. 7,	Twp 07S,	Rge 35E, B.M.
BANNOCK County				

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S07 Lot 2 SWNW 8.8

Total Acres: 8.75

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7060 V1

Comments:

1. csaxton 2/4/2002 POU
Comment: City of Pocatello Tax Lot information is incorrect. location of Frank property and Pieper switched.
2. csaxton 2/4/2002 Water Use
Comment: Claimant contact on 2/3/02 and confirmed that domestic well dry and no longer used. That is why domestic and stock use not claimed.
3. csaxton 2/4/2002 POD
Comment: Licensed with two wells. Domestic and stock well dry and is no longer used.
4. csaxton 2/4/2002 Acreage
Comment: Actual irrigated acres is 8.75.
5. csaxton 2/4/2002 Diversion Volume
Comment: Claimant claimed diversion volume less than licensed. Seems to be a math error since Domestic and Stock volumes were subtracted. Recommend licensed diversion volume.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	2/4/2002 11:18:45 AM	csaxton			Active
Source	2/4/2002 11:28:46 AM	csaxton			Active
POU	2/4/2002 11:29:02 AM	csaxton			Active
POD	2/4/2002 11:32:02 AM	csaxton			Active
Season	2/4/2002 1:34:51 PM	csaxton			Active
Quantity	2/4/2002 1:34:55 PM	csaxton			Active
Summary	2/4/2002 1:49:06 PM	csaxton	2/4/2002 1:49:06 PM	csaxton	Active
Use	2/4/2002 1:49:21 PM	csaxton	2/4/2002 1:49:06 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7060 V1

Contacts	2/4/2002 11:14:04 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	2/4/2002 11:26:38 AM	csaxton	Edited point location
POD	2/4/2002 11:27:35 AM	csaxton	Edited point location
POD	2/4/2002 11:27:55 AM	csaxton	Edited PLS
Source	2/4/2002 11:28:47 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	2/4/2002 11:29:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Priority Date	2/4/2002 11:18:47 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	2/4/2002 11:27:07 AM	csaxton	Edited PLS
POU	2/4/2002 11:29:27 AM	csaxton	Edited shape boundary
POD	2/4/2002 11:32:03 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7060 V1

Season	2/4/2002 1:34:52 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
POD	2/4/2002 1:34:56 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Recommend Licensed Diversion Volume
Summary	2/4/2002 1:49:08 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Use	2/4/2002 1:49:22 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-7060

WATER RIGHT NUMBER: 29-7060

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOSEPH H FRANK 4300 TECH FARM RD POCATELLO, ID 83204 (208)232-8585
Current Owner	RUTH A FRANK LIVING TRUST 4300 TECH FARM RD POCATELLO, ID 83204-3770 (208) 232-8585

Priority Date: 09/02/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.180 CFS	29.80 AF
	<u>Total Diversion:</u>	0.180 CFS	29.80 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 7, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	7							8.7										8.7
									L 2										

Total Acres: 8.7

Conditions of Approval:Remarks:

- General 2 P/D SWNW, SEC. 7, T7S, R35E.
AC. IRR. = 8.75.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-7060

Dates and Other Information:

Claim Received Date: 5/9/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-07060



0 1320 Feet

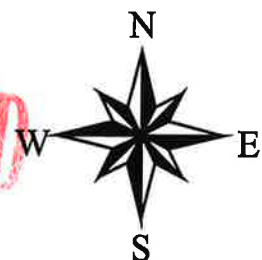
Total Irrigated Acres: 8.75

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

PROFILED

SCANNED

APR 12 2006



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2002

02/18/2003

NOTICE OF ERROR
REPLY

Craig

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7060

RUTH A FRANK LIVING TRUST
C/O RUTH A FRANK
4300 TECH FARM RD
POCATELLO ID 83204-3770
Telephone Number: (208) 232-8585

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name and Address: Zip Code Correction 83204-3710

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

4/14/03

SIGNATURE:

Ruth A Frank

Please print your name:

Ruth A. Frank

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

DONE

RECEIVED

MAY 07 2003

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 23 2003

Department of Water Resources
Western District Office

SCANNED

APR 12 2006

2/4/01 : Domestic and Stock Not Claimed. Called Ruth and
Confirmed domestic well 'went dry' so Ruth
didn't claim domestic and stock recommend
Irrigation only.

Priority date claimed earlier than licensed.
Recommend as licensed

50 SHEETS
100 SHEETS
200 SHEETS

22-141
22-142
22-144



PROFILED

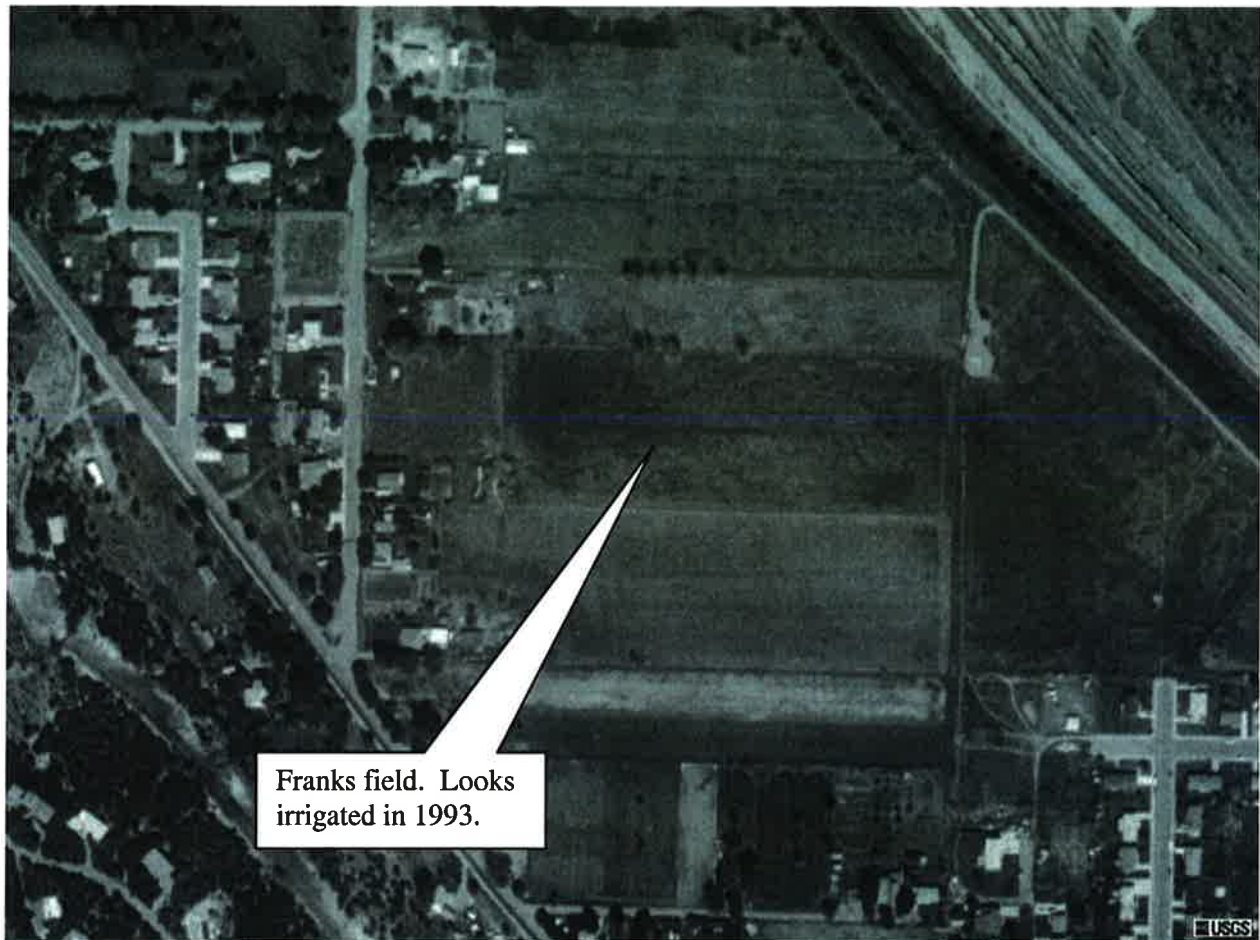
SCANNED
APR 12 2006

Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 1 by 1 meters of earth. This image was extracted from a Color Infra-Red (CIR) digital orthophoto quadrangle provided by the USGS. To find out more information about this image, visit the USGS's [Digital Backyard](#)

The image was photographed on 16 Aug 1993 by the National Aerial Photography Program and digitized by the USGS DOQ Program on 27 Feb 1995. The image you are viewing can be [downloaded at no charge to your PC](#). DOQ's may be [purchased from selected USGS dealers](#). Alternatively, DOQ's may be obtained directly from the USGS.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983. The latitude and longitude in degrees, minutes, and seconds and the UTM coordinates in meters are shown for each image tile.



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APR 12 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 2001

RUTH A FRANK LIVING TRUST
4300 TECH FARM RD
POCATELLO ID 83204-3770

RE: CHANGE IN OWNERSHIP FOR A29-07060

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

SCANNED

APR 12 2006

PROFILED

DK
JC
6/20/01

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 returned.

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, 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
A29-07060					
29-12037 - partial decree					

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 rights 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) are 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) Joseph H. Frank
4. New Owner/Claimant(s) Ruth A. Frank Living Trust (dated 1/10/97)
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property 1/10/97 (date of Ruth A. Frank Living Trust)

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SCANNED
APR 12 2006

346508

STATE OF IDAHO,

COUNTY OF Bannock

} ss:

On this 11th day of September, in the year 1950, before me, a Notary Public in and for said County and State, personally appeared Albert M. Smith and Helen C. Smith, husband and wife

known to me to be the persons whose names are 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 in this certificate first above written.



Keith S. Miller
Notary Public

Residence Pocatello, Idaho

346508

WARRANTY DEED

TO

Dated

19

STATE OF IDAHO,

COUNTY OF

} ss:

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

at minutes past o'clock, M., this day of

A. D. 19

at my office and duly recorded in Book

of Deeds at page

Ex-Officio Recorder

By

Deputy

Fee, \$

346508

NO. 143
Joseph H. Frank
Route # 1, South

JUL 17 3 41 PM '53

OFFICIAL RECORDS NO. 143
IDAHO

COPIES FOR

APR 12 2006

97019101

CORRECTED WARRANTY DEED

9702109D

For Value Received, RUTH A. FRANK,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: RUTH A. FRANK, Trustee, or her successors in trust, under the RUTH A. FRANK LIVING TRUST dated January 10, 1997, and any amendments thereto.

Hereinafter called the grantee, whose current address is:

4300 Tech Farm Rd.
Pocatello, ID 83204-3770

the following described premises, in Bannock County, Idaho, to-wit:

SEE EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED:

Ruth A. Frank
RUTH A. FRANK

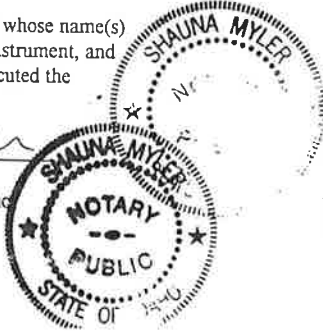
STATE OF IDAHO, COUNTY OF BANNOCK

On this 12-8-97 before
me, a notary public in and for said State, personally
appeared

RUTH A. FRANK

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

Shauna Myler
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 8-13-99



STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock _____ m.
this _____ day of _____,

19____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$ _____
Mail to: _____

'97 DEC 8 AM 11 49

No. 97021091

Recorded at request of

Ruth Frank

Date _____

*Record Book

700

SCANNED

APR 12 2005

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

SCANNED

APR 12 2015

WARRANTY DEED

COPY
97019101

For Value Received, RUTH A. FRANK,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: RUTH A. FRANK, Trustee, or her successors in trust, under the RUTH A. FRANK LIVING TRUST dated November 07, 1996, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 4300 Tech Farm Rd.
Pocatello, ID 83204-3770

the following described premises, in Bannock County, Idaho, to-wit:

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED:

Ruth A. Frank
RUTH A. FRANK

STATE OF IDAHO, COUNTY OF BANNOCK
On this 10th day of March 1997 before
me, a notary public in and for said State, personally
appeared
RUTH A. FRANK

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

M. Gary Peterson
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 01-01-02

NOTARY SEAL

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for
at the request of
at _____ minutes past _____ o'clock m.
this _____ day of _____,
19____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$
Mail to:

'97 NOV 5 AM 10 34

No. 97019101
Recorded at request of

M. Gary Peterson

Date: _____

Official Record Book 699

Bannock County Recorder

SCANNED

APR 12 2006

2-2

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

'97 NOV 5 AM 10 34

No. 97019101
Recorded at request of

M. Shaw & Kincaid

SCANNED

APR 12 2005

2-1
COPY
PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by RUTH A. FRANK, as Personal Representative of the Estate of JOSEPH HARRY FRANK, deceased, Grantor, to RUTH A. FRANK, Grantee, whose current address is 4300 Tech Farm Rd, Pocatello, ID. 83204-3700.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. SP 1E 97-00099, in Bannock County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Bannock County, Idaho:

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

EXECUTED this 26th day of March, 1997.

Ruth A. Frank
RUTH A. FRANK

Personal Representative of the
Estate of JOSEPH HARRY FRANK, deceased.

SCANNED

APR 12 2005

STATE OF IDAHO

COUNTY OF BANNOCK

SS

97012564

On this 24th day of March, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, RUTH A. FRANK, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of JOSEPH HARRY FRANK, deceased, and acknowledged to me that (s)he executed the same as such Personal Representative.

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

NOTARY SEAL

M. Gary Atkinson
NOTARY PUBLIC

Residing at: Luna Falls, ID

My Commission Expires: 02 08 02

NO 97012564
RECORDED AT REQUEST OF
M. GARY ATKINSON ATT.
37 JUL 28 AM 10 52
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 6.00 DEPUTY LK

SCANNED

APR 12 2006

COPY

QUIT CLAIM DEED

THIS INDENTURE, Made the 11th day of September in the year of our Lord One Thousand Nine Hundred and fifty between Joseph M. Frank and Ruth A. Frank, husband and wife of Poccatello, of the County of Bannock and State of Idaho the parties of the first part, and Albert M. Smith and Helen C. Smith, husband and wife of Poccatello, of the County of Bannock and State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit claim unto the said parties of the second part, and to their heirs and assigns all that certain real estate situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the Westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an Easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the West boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the Westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said parties of the second part, and to their heirs and assigns forever.

IN TESTIMONY WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

.....

.....

Joseph M. Frank [SEAL]
Ruth A. Frank [SEAL]

SCANNED

APR 12 2006

County of Lanook

SS.

On this 11th day of September in the year 19 50, before me

, a Notary Public

in and for said County and State personally appeared Joseph M. Frank and Ruth A. Frank
husband and wife

known to me to be the persons whose names are 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 in this certificate, first above written.

Keith L. Miller
Notary Public

Residence Pocatello, Idaho.

No.

TO

Dated 11th day of September, 19 50

QUIT CLAIM DEED

STATE OF IDAHO,

County of } SS.

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

at minutes past

..... o'clock, M.

this day of

A. D. 19, in my office and duly recorded in

Book of Deeds at page

Ex-Officio Recorder.

By Deputy.

Fee, \$

SCANNED

APR 12 2006

COPY

346508

THIS INDENTURE, made this 11th day of sept. in the year of our Lord, One Thousand Nine Hundred and fifty , between

Albert L. Smith and Helen C. Smith, husband and wife
of Pocatello , County of Bannock , State of Idaho
the parties of the first part, and Joseph M. Frank and Ruth A. Frank,
husband and wife

of Pocatello , County of Bannock , State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the
second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bar-
gain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs
and assigns forever: All that certain lot , piece or parcel of land situate, lying and
being in the County of Bannock , State of Idaho, bounded and more particularly
described as follows, to-wit:

Commencing at the Southwest corner of Lot 2, Section 7,
Township 7 South Range 35 East Boise meridian, thence East
along the Southerly boundary of said Lot 2 a distance of 2
rods; thence running North and parallel with the westerly
boundary line of said Lot 2 a distance of 32 rods for the
beginning point of the following survey, thence running in
an Easterly direction and parallel with Southerly boundary
line of Lot 2 a distance of 1226.8 feet, more or less to
Easterly boundary line of said Lot 2, thence at right angles
to last described line and running in Northerly direction
along Easterly boundary line of said Lot 2 a distance of 20
rods; thence at right angles to last described line and
running in a westerly direction and parallel to Southerly line
of said Lot 2 a distance of 1226.8 feet, more or less to a
point that is 2 rods east of the west boundary line of said
Lot 2, thence at right angles to last described line and
running in a Southerly direction and parallel with the westerly
boundary of said Lot 2 a distance of 20 rods to the point of
beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights
appertaining thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belong-
ing or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and
privileges thereunto incident unto the said parties of the second part, and to their heirs and
assigns forever and the said parties of the first part, and their heirs
warrant the said premises in the quiet and peaceable possession of the said parties of the second part,
their heirs and assigns against the said parties of the first part, and their heirs and
against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and
will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands
and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of



Robert M. Smith [SEAL]

Helen C. Smith [SEAL]

[SEAL]

[SEAL]

SCAN

APR 12 2006

RECEIVED

JUN 20 2001

Department of Water Resources
Eastern Region

4300 Tech Farm Road
Pocatello, ID 83204-3710
June 18, 2001

Ms. Cheri Vandermeulen, Records Clerk
State Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Water Right A29-07060

Dear Ms. Vandermeulen:

As requested in your letter dated June 5, 2001, enclosed is the completed "Change in Ownership" form for the above-referenced water right.

As a matter of record, please note that there was no change in ownership of the property, which has been owned by Joseph H. and Ruth A. Frank since September 11, 1950. The water right referenced above was issued in the name of Joseph H. Frank. He passed away on September 19, 1996 and at that time I became sole owner of the property. Shortly after that I had the property transferred to the Ruth A. Frank Living Trust. Consequently, the purpose for submitting this form is place the water right in the name of the Trust.

If you have any questions or need additional information concerning this matter, please feel free to contact me at the above address.

Sincerely,



Ruth A. Frank

- encs. - Change of Ownership form
- Copy of Warranty Deed & Legal Description
- Filing Fee Check for \$25.00

RAF:o

SC/...

APR 12 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 5, 2001

RUTH A FRANK LIVING TRUST
4300 TECH FARM RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-07060

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. The property to which I am referring was most recently owned by Joseph H Frank. The legal description is as follows:

T07S R35E S7 SW1/4 NW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILED

SCANNED
APR 12 2006

JUN 19 2001

Log for claim A29-07060

Spatial Dynamics LTD

9/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	7	SWNW	8.7	6.8	POD placement? / Indiscernible

Totals:

8.7

6.8

4/0 - Frank, Ruth A ^{Frank} Living Trust
4300 Tech Farm RD
83204

Power

9.04ac lot 4, 20

6/4/01 | Confirmed Property is now in a living trust
Cheri Senelung VCO - Sand

AJ5809NP
No. A29-07060

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 235

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH H FRANK 4300 TECH FARM RD POCATELLO ID 83204 (208) 232-8585	09/02/1970	IRRIGATION	04-01 11-01	0.180 CFS	29.80 AFA
TOTAL DIVERSION:					0.180 CFS	29.80 AFA
CONSUMPTIVE USE:						29.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S07

SWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	35E	7	:																	:	8.7
																				TOTAL ACRES	8.7

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10687 29-11405 29-11406 29-12037 29-12165 A29-04188 A29-07009 A29-07273 A29-10687 A29-11405
A29-11406 A29-12037 A29-12165

Other Water Rights Listing Overlapping Place(s) of Use:

A29-04188

Remarks: GEN 2 P/D SWNW, SEC. 7, T7S, R35E.
AC. IRR. = 8.75.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 06/08/93 DCARLSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

Department of Water Administration

APPLICATION FOR AMENDMENT

Permit No. 29-7060

Comes now Joseph H. Frank of (address) Route 3 - Box 333, Pocatello, Idaho, and represents to the Director of the Idaho Department of Water Administration:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7060, and requests that the permit and permit map be changed as follows:

(2 points)

1. Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 Twp. 7 S
Rge. 35 E, B. M., County of Bannock. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

29-7000

Identification No. 29-7060
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PERMIT USED FOR .22 SEC. FT.
IN CASE NO. _____

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Joseph H. Frank
post office address Route #3 Box 333 Pocatello, Idaho 83201
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7 Township 7S
Range 35E B.M. Bannock County; additional points of diversion if any: _____

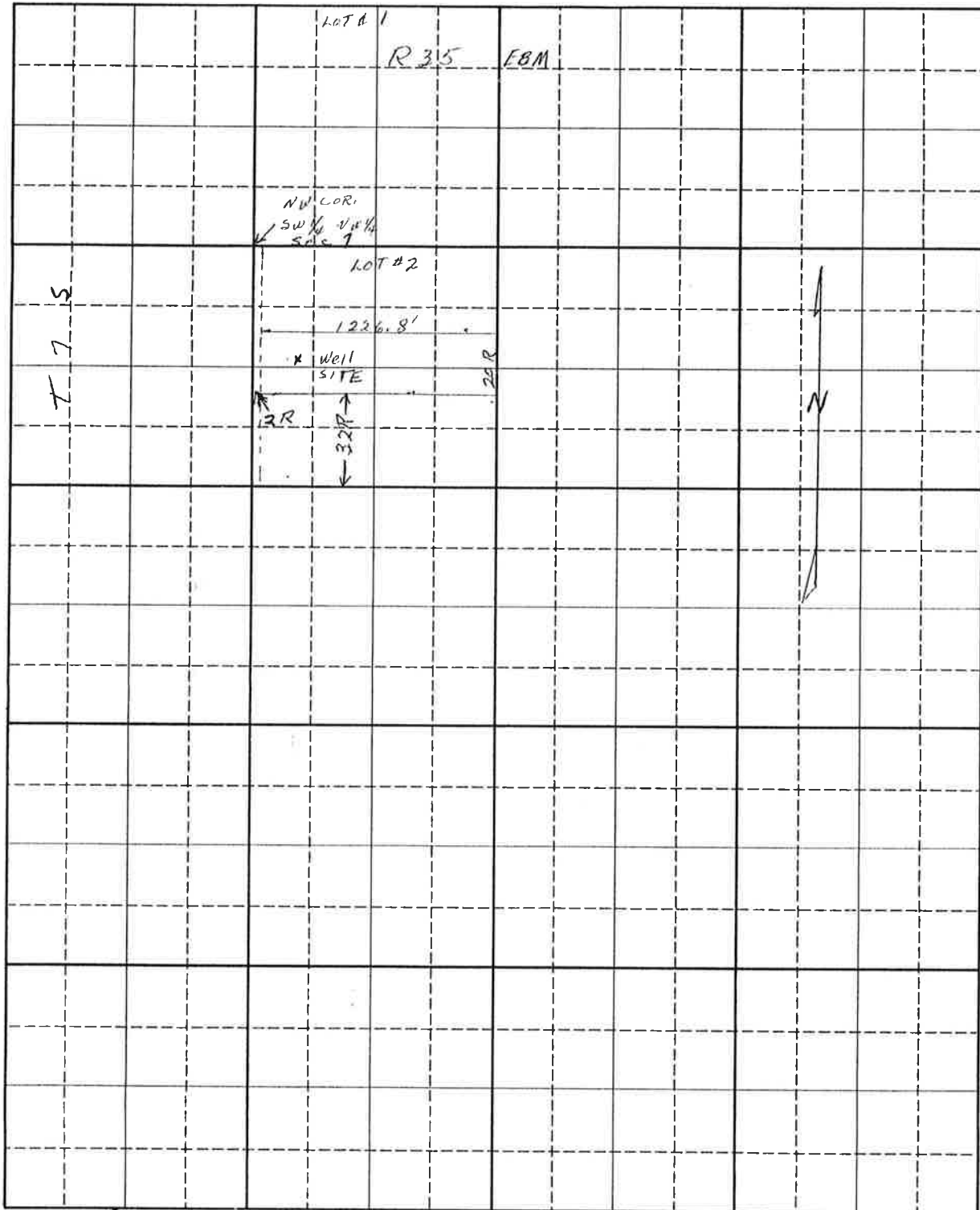
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.18 for irrigation purpose from May 1st to October 15th (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for domestic purpose from Jan. 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock water purpose from Jan. 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .22 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, submersible pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 10 inches; proposed depth of well is 80 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.
b. Estimated construction cost is \$ 2,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7 Township 7S
Range 35E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 80 head sheep, 4 head cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1 family.
(5) If water is to be used for other purposes describe: _____

29-7060

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: $\frac{1}{2}$ inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Joseph H Frank
(Applicant)

29-7060

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 29-7060 Priority Oct. 12, 1970 Amount 0.22 cfs

THIS IS TO CERTIFY, that JOSEPH H. FRANK
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7060 issued pursuant to Application for Permit dated October 12, 1970,
and has submitted proof to the Department of Water Administration on November 8, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.22 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and <u>1.2 acre feet</u>			
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and <u>0.2 acre feet</u>			
<u>Irrigation</u> from <u>May 1</u> to <u>Oct. 15</u> at <u>0.18</u> cfs and <u>31.0 acre feet or</u> (both dates inclusive) <u>3.5 af per acre</u>			

Subject, however, to the condition that no more than 0.22 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
32.4 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) of
Sec. 7, Twp. 7 S, Rge. 35 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	35 E	7						X											8.75
								(lot 2)											

Total number of acres irrigated 8.75

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of
May, 19 74.

Deputy Director 

T
7
S

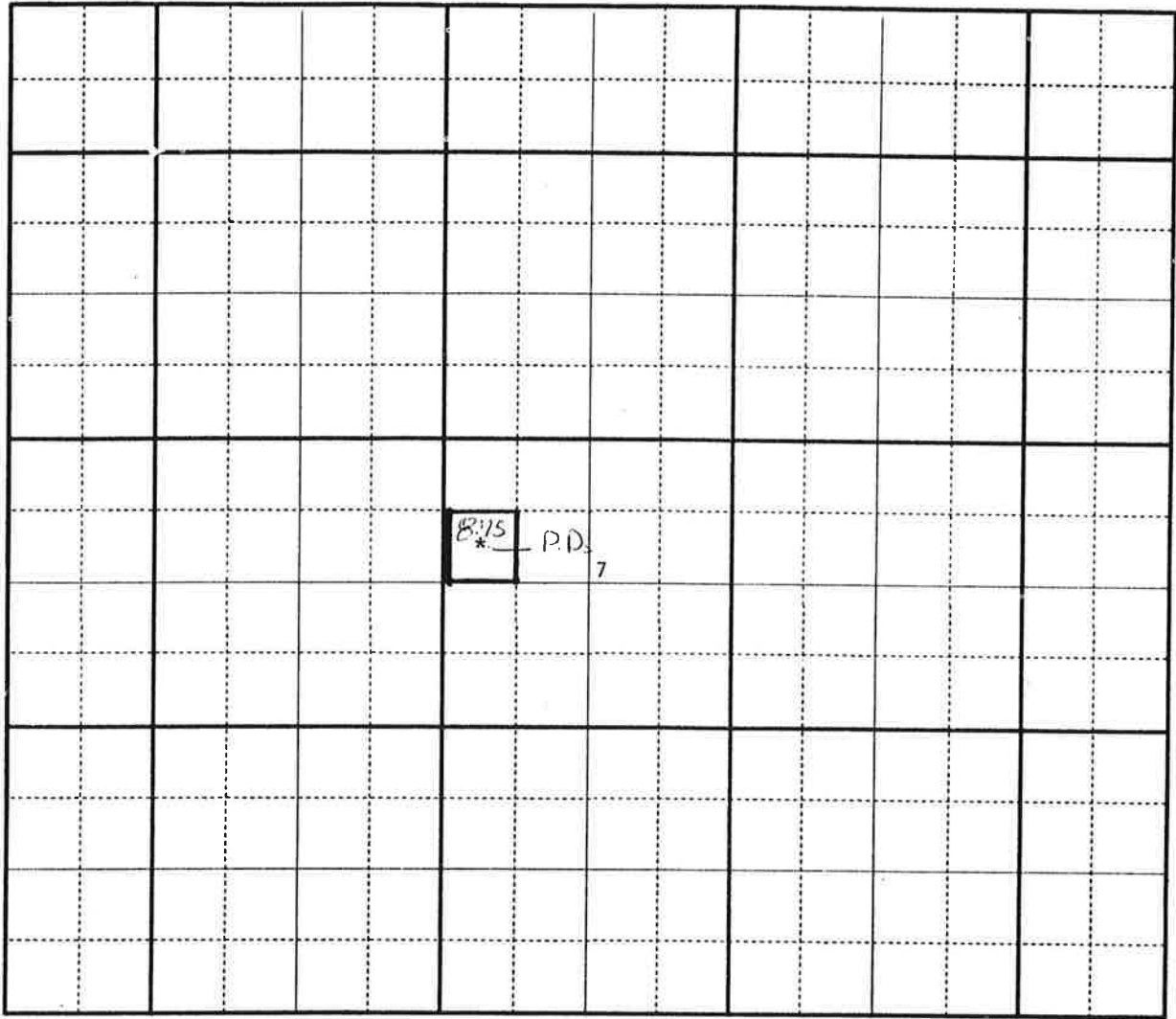
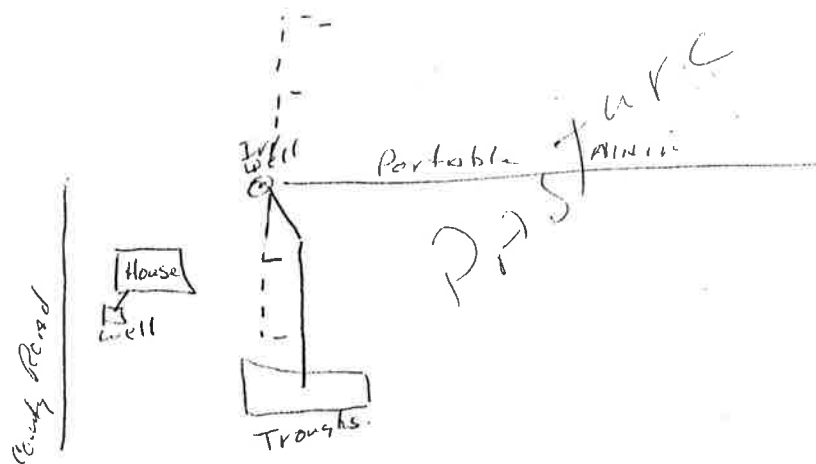


Diagram of System

Top View



DATE OF EXAM MAY 14, 1979

ACREAGE
Found 8.75
Recommended 8.75

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .18 c.f.s. V = 30.6 AF/Ann. from MAY 1 to Oct 15
Domestic Q = .02 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = .02 c.f.s. V = .2 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .21 cfs + .02 cfs domestic Method of measurement Pit.

Total Q recommended .22 Meter No. A-203 Type _____ Condition EDUAs

Total V recommended 32 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

25 psi = 3.52 gpm x 28 Noz = 98.56 gpm/system
= 0.21 cfs

3 Stock use > .02 cfs V = (8.75) · (3.5) = 30.6

SYSTEM DESCRIPTION:

28 5 Hp Submersible pump 4" portable minor Well,
1/32 Noz @ 25 psi 50 A Rainbird (For Irr & Stock)
6" Well with In-line Submersible pump for Domestic Well
System. 3/4 HP

REMARKS:

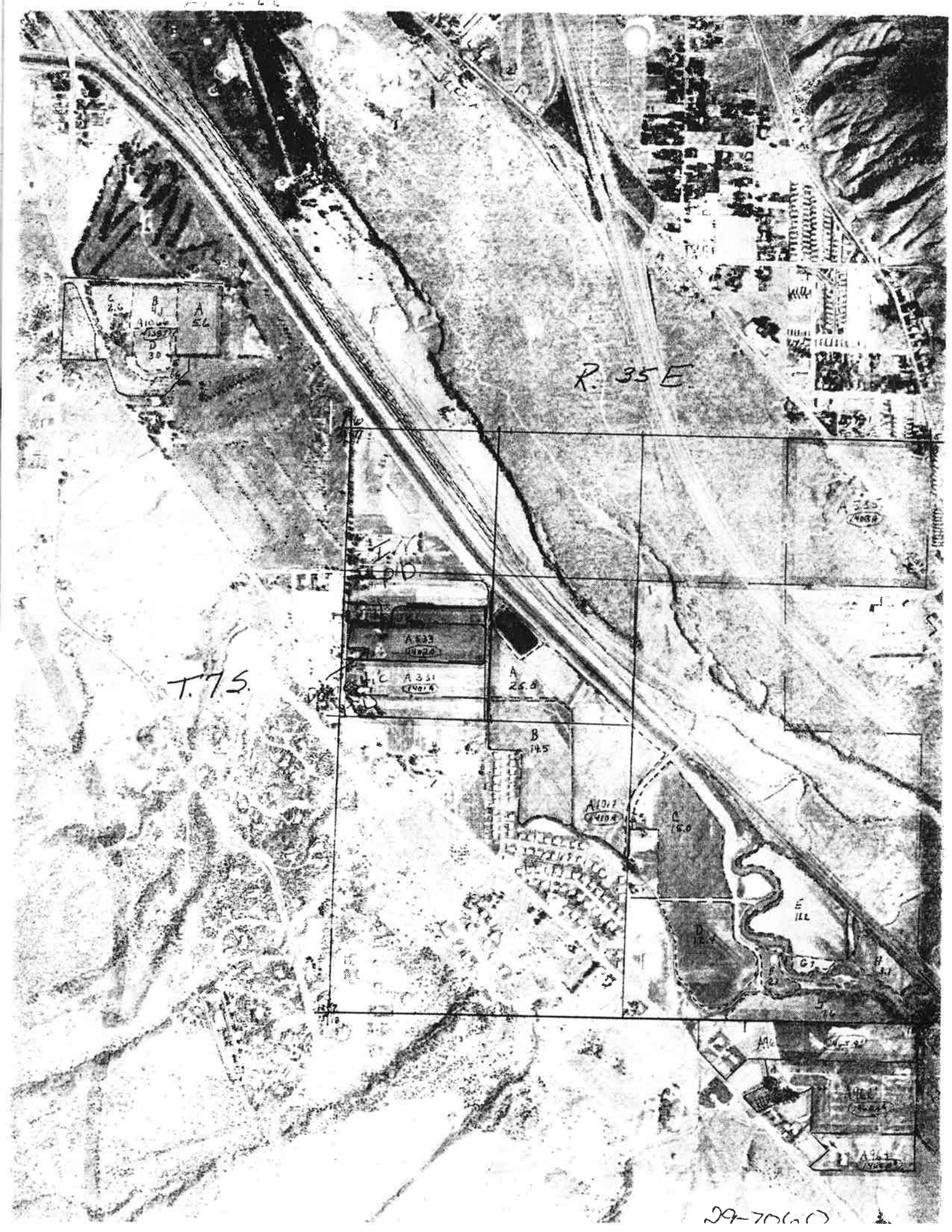
System & land shown by Owner
10 head beef cattle 40 Sheep.
Owner stated that this was the last year of Sheep
Production

Examiner's Signature William Rhonda Date MAY 14, 1979

Checked by John Foreman Date May 15, 1979

Approved by _____ Date _____

29-7060



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 29-7060
Date Received: 5/9/90
Receipt No: E014329
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUTH A FRANK LIVING TRUST Phone: (208) 232-8585

4300 TECH FARM RD
POCATELLO ID USA 83204-3770

2. Date of Priority: 09/02/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	7	SW NW	BANNOCK	

5. Description of diverting works:

10" WELL/ 84' DEEP - 5 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.18	29.8

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 29.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

PROFITED

SCANNED

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
07S	35E	7	SW	NW	2	IRRIGATION	8.7
Section Acres							8.7
Total Acres							8.7

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

2 P/D SWNW, SEC. 7, T7S, R35E
AC. IRR. = 8.75

15. Basis of Claim: License

SCANNED

APR 12 2006

SCANNED

JUN 19 2001

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: A29-07060

Date Received: 4/19/1990

Receipt No: E014329

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH H FRANK 208-232-8585
Address: 4300 TECH FARM RD
POCATELLO ID 83204

2. Date of Priority: SEP 2, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	7	SW		NW		BANNOCK

5. Description of diverting works:
10" WELL/ 84' DEEP - 5 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		29.80

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 29.80 A.F.A.

8. Total consumptive use is 29.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	7	SW	NW	2	IRR	8.7

Section Acres

Total Acres

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8.7

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8.7

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

2 P/D SWNW, SEC. 7, T7S, R35E.
AC. IRR. = 8.75.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-7273 7060
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Joseph H Frank

Date April 17, 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Idaho

County of Bannock

SS.

Subscribed and sworn (or affirmed) before me this 17th day of April 19 _____

SEAL

Notary Public Victor E Myrick

Residing at 5112 Yellowstone Boulevard

My Commission Expires 10-16-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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APR 12 1990

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

NO LATE FEE IF RECEIVED
BY June 4, 1990IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 1060Ident. Number 39576Date Received 4-19-90Receipt Number E014329

RECEIVED

MAY - 9 1990

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 19 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) JOSEPH H FRANK Phone (208) 232-8585
Mailing Address 4300 TECH FARM RD POCA. ID Zip 83204
2. Date of Priority (Only one (1) per claim) September 2 1970
3. Source of water supply (a) Crown Water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 7S Range 35E Section 7,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BANNOCK
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
10" Well 84' deep 5 HP Sub. Pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April to Nov amount 0.18 or 29.8 A Feet

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 29.8 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>75</u>	<u>35E</u>	<u>7</u>							<u>8.75</u>										<u>8.75</u>

Total number of acres irrigated 8.75

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

LOT #1
 R 35 E 8 N
 NW 1/4 COR. NW 1/4
 Sec 7
 LOT #2
 133 6.8'
 x WELL SITE
 2N
 32R
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Last Name

Frank

Ident No.

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