

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
NOV 24 2021
DEPT. OF WATER RESOURCES
SOUTHERN 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?
45-317E	Yes ☒ <i>NOT SPLIT</i>	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Iona D Bailey and Robert N Bailey
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kimber Lee Fries
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 3758 North 3710 East Kimberly ID 83341
Mailing address City State Zip
- 208-536-0472 _____
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: 11/19/2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *Kimber Lee Fries* 11/19/21
 Signature of new owner/claimant Title, if applicable Date
Kimber Lee Fries
 Print name

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

 Print name

Received by SG Date 11/24/21 For IDWR Office Use Only: Receipt No. 5038953 Receipt Amt. \$200.00
 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 _____ Processed by JB Date 12-8-2021

Instrument # 2021004105

BURLEY, CASSIA, IDAHO

8-9-2021 02:22:08 PM No. of Pages: 3

Recorded for : RANDSLAW PLLC

JOSEPH LARSEN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED

EV

(Space above reserved for Recorder's Office)

SECOND CORRECTED PERSONAL REPRESENTATIVE'S DEED
(To correct Recording Nos. 2021001406 and 2021002301)

THIS PERSONAL REPRESENTATIVE'S DEED is made and executed by **LYNDA ANDERSON**, as personal representative of the **ESTATES OF IONA DUSTIN BAILEY aka IONA D. BAILEY and ROBERT N. BAILEY, deceased** (the "Grantors") to **KIMBER LEE FRIES**, a single woman (the "Grantee"), whose address is 3758 N 3710 E, Kimberly, Idaho 83341.

WHEREAS, Lynda Anderson is the qualified personal representative of the Estates of Iona Dustin Bailey aka Iona D. Bailey and Robert N. Bailey, filed as Probate Case Number CV2011-1272, in Cassia County, Idaho;

NOW THEREFORE, in accordance with the provisions of the Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor hereby grants, sells, transfers and conveys to Grantee all of the estate's interest in the following described real property in Cassia County, Idaho, more particularly described as follows:

See attached Exhibit "A"

TO HAVE AND TO HOLD all right, title and interest of the Grantors in and to such property, with the appurtenances unto said Grantees, and the Grantees' heirs and assigns forever.

IN WITNESS WHEREOF, the Grantors have executed this Personal Representative's Deed as of the date and year first above written.

GRANTOR

**ESTATES OF IONA DUSTIN BAILEY AKA
IONA D. BAILEY AND ROBERT N. BAILEY,
DECEASED**

By:



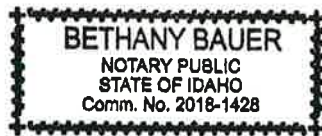
Lynda Anderson

Personal Representative

STATE OF IDAHO)
) ss:
County of Twin Falls)

On this 4 day of August, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **LYNDA ANDERSON**, known or identified to me to be the Personal Representative for the Estates of Iona Dustin Bailey aka Iona D. Bailey and Robert N. Bailey, deceased, and who acknowledged to me that she executed the same on behalf of such Estates.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Bethany Bauer
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
Commission expires: 8-3-24

PARCEL NO. 1: RP12S25E066150A
TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of Lot 7, more particularly described as follows:

Beginning at a point on the South boundary line of Lot 7 in said Section 6, which point is 1434 feet East of the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 12 South, Range 24 East, Boise Meridian;
Thence East along the South boundary line of said Lot 7 for 478 feet to a point;
Thence North 1320 feet to the North boundary line of said Lot 7;
Thence West 478 feet to a point;
Thence South 1320 feet to the Point of Beginning.

SAVE AND EXCEPT the following described:

Beginning at a point on the South boundary line of said Lot 7 that is North 89°12' East 354.98 feet from the Southwest corner of said Section 6;
Thence North 89°12' East for 230.0 feet, said point being South 89°12' West for 478.0 feet from the Southeast corner of said Lot 7;
Thence North 0°35'16" East for 947.0 feet;
Thence South 89°12' West for 230.0 feet;
Thence South 0°35'16" West for 947.0 feet to the Point of Beginning.

PARCEL NO. 2: RP12S25E066100A
TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of Lot 7, more particularly described as follows:

Beginning at a point on the South boundary line of said Lot 7 that is North 89°12' East 354.98 feet from the Southwest corner of said Section 6;
Thence North 89°12' East for 230.0 feet, said point being South 89°12' West for 478.0 feet from the Southeast corner of said Lot 7;
Thence North 0°35'16" East for 947.0 feet;
Thence South 89°12' West for 230.0 feet;
Thence South 0°35'16" West for 947.0 feet to the Point of Beginning.

TOGETHER WITH all decreed water rights attributed to the above-described parcel.

Exhibit "A"



This sketch is provided solely for the purpose of assisting in locating the premises.
The company assumes no liability for alleged loss or damage which may result from
reliance on this map.

Bitzenburg, James

From: Bitzenburg, James
Sent: Thursday, December 9, 2021 9:30 AM
To: IdwrPayable
Subject: Request for Refund

IDWR Payable-

On November 24, 2021, the Department received companion *Notice of Change in Water Right Ownership* forms from James and Phyllis Davis, and Kimber Lee Fries. The Notices were accompanied with \$200.00 in fees. After review, it was determined that only \$150.00 in fees was required. Could you issue a refund for the extra \$50.00 in fees? The fee was paid by First American Title Company. Their address is:

**First American Title Company
417 N Overland Ave.
Burley, ID 83318**

They paid for the notice with check #14544 for \$200.00, IDWR receipt #S038953. Thank you and let me know if you need any more information.

Jim

**Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov**



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Gary Spackman

December 08, 2021

KIMBER LEE FRIES
3758 N 3710 E
KIMBERLY ID 83341-5519

Re: Change in Ownership for Water Right No(s): 45-317E

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-45F; First American Title Company, Burley- File #1008592RU