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AUG 09 2021

DEPARTMENT OF
WATER RESOURCES

AUG 05 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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 #6 of the instructions. DE

2-10622

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
2-2077E ✓	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Melissa and Lamon Loucks
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lynette Renee Fraga & Frank Silva Fraga
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- 1709 Clearwood St Pittsburg CA 94565
Mailing address City State ZIP
- 650-219-8476 Frank and Lynette @ sbcglobal.net
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: 11-24-2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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 # 2-2077E

8. Signature: [Signature] Title, if applicable: _____ Date: 8/1/2021
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable: _____ Date: 8/1/2021
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 08/05/2021 Receipt No. W049670 Receipt Amt. \$100.00

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 [Signature] Date 8/5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the Water Right and Adjudication Search link at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.

6. If you are unsure about the status of your water right in the Water Supply Bank, go to: www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a **Lessor Designation** form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An **IRS Form W-9** is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

SUNSET MEADOW SUBDIVISION

WITHIN THE W1/2 OF THE NW1/4
AND GOV'T LOTS 1 AND 2, SECTION 28,
T.2N., R.4W., B.M., OWYHEE COUNTY, IDAHO
2008

BOOK _____ PAGE _____

SURVEY REFERENCES

- 1) RECORD OF SURVEY INSTRUMENT NO. 257417
- 2) WARREN-HALTZ FERRY ROAD FEDERAL AID PROJECT NO. 3-3707(2)
- 3) RECORD OF SURVEY INSTRUMENT NO. 212792
- 4) RECORD OF SURVEY INSTRUMENT NO. 216219
- 5) RECORD OF SURVEY INSTRUMENT NO. 245048

PLAT NOTES

1. ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
2. PER SECTION 31-3305 OF THE IDAHO CODE THIS SUBDIVISION IS NOT WITHIN AN IRRIGATION DISTRICT, AND IS NOT SUBJECT TO FEES FROM ANY SUCH DISTRICT. THIS PROPERTY RECEIVES IRRIGATION WATER FROM THE EVAN-KEY AS PER WATER RIGHT NO. 2-2077E. THE DEVELOPER IS PROVIDING A PRESSURE IRRIGATION SYSTEM TO ALL LOTS IN THIS SUBDIVISION.
3. ALL LOTS ABUTTING THE EXTERIOR BOUNDARY OF THE SUBDIVISION ARE HEREBY DESIGNATED AS HAVING A 12 FOOT WIDE PERMANENT PUBLIC UTILITIES, PROPERTY DRAINAGE, AND IRRIGATION EASEMENT, ADJACENT TO THE EXTERIOR BOUNDARY (E1) UNLESS OTHERWISE SHOWN.
4. BUYERS OF LOTS IN THIS SUBDIVISION ARE HEREBY NOTIFIED THAT THE RIGHT TO FARM IS A NATURAL RIGHT, AND IS RECOGNIZED AS A PERMITTED USE THROUGHOUT THE STATE OF IDAHO PER IDAHO CODE 22-1502.
5. THE PRIVATE ROAD IS 55 FEET IN WIDTH, WITH 60 FOOT RADIUS CUL-DE-SACS AS SHOWN. (E3). SAID PRIVATE ROAD SHALL BE CONSTRUCTED ACCORDING TO OWYHEE COUNTY STANDARD SPECIFICATIONS AND HEREBY CREATES A PERPETUAL EASEMENT FOR THE USE OF ALL LOTS IN THIS SUBDIVISION. SAID ROAD SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
6. NO LOT SHALL HAVE DIRECT ACCESS TO STATE HIGHWAY 78, EXCEPT AS PROVIDED BY THE PRIVATE ROAD.
7. ALL INTERIOR LOTS ARE DESIGNATED AS HAVING A TWELVE (12) FOOT IRRIGATION, DRAINAGE & PUBLIC UTILITY EASEMENT SIX (6) FEET EACH SIDE OF LOT LINES COMMON TO 2 LOTS, UNLESS OTHERWISE SHOWN. (E1)
8. E-3 IS AN INGRESS-EGRESS, IRRIGATION AND PUBLIC UTILITY EASEMENT BEING GRANTED TO ALL LOTS IN THIS SUBDIVISION. THIS EASEMENT ENDS AT THE SOUTHERLY LINE OF THE IRRIGATION EASEMENT AND RIGHT-OF-WAY, INST. NO. 210314, AS SHOWN.
9. E-4 IS AN INGRESS-EGRESS, IRRIGATION AND PUBLIC UTILITY EASEMENT. THE IRRIGATION AND PUBLIC UTILITY EASEMENT PORTION IS BEING GRANTED TO ALL LOTS IN THIS SUBDIVISION. AN IRRIGATION AND INGRESS-EGRESS EASEMENT FOR THE PURPOSE OF ACCESS TO AND MAINTENANCE OF A CERTAIN IRRIGATION LINE AND PUMP IS BEING GRANTED TO THE ADJOINING PROPERTIES DESCRIBED IN INST. NO. 257645, 225922, 257645, 261353, 261354, 238043 AND 257844. THE EASEMENT GRANTED TO THE ADJOINING PROPERTIES IS INTENDED TO ALLOW ACCESS TO EXISTING IRRIGATION LINES AND EQUIPMENT TO THOSE PROPERTIES. THIS EASEMENT ENDS AT THE SOUTHERLY LINE OF THE IRRIGATION EASEMENT AND RIGHT-OF-WAY, INST. NO. 210314, AS SHOWN. E-4 ALSO GRANTS AN INGRESS-EGRESS EASEMENT TO MARIANNE AND STEVEN ELLS, TO ALLOW VEHICLE ACCESS TO THAT PROPERTY DESCRIBED IN INST. NO. 257645 ONLY. VEHICLE ACCESS TO OTHER PARCELS OR PARTS IS NOT BEING GRANTED AT THIS TIME.
10. E-5 IS A 32 FOOT WIDE LANDSCAPE/UTILITY EASEMENT REQUIRED BY OWYHEE COUNTY. LANDSCAPING WITHIN THIS EASEMENT SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. THE EXTERIOR 12 FEET IS RESERVED FOR UTILITIES AND THE INTERIOR 20 FEET IS RESERVED FOR LANDSCAPING.
11. E-6 IS A SCHOOL BUS STOP EASEMENT TO ALLOW SCHOOL CHILDREN A CLEAR AREA TO WAIT FOR SCHOOL BUSES. ANY FACILITIES CONSTRUCTED WITHIN THIS EASEMENT SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5629.58'	188.14'	188.13'	N 17°31'16" W	0°54'53"
C2	5629.58'	58.18'	58.17'	S 18°10'57" E	0°35'32"
C3	5629.58'	521.69'	521.51'	S 21°08'00" E	0°58'35"
C4	300.00'	83.17'	82.90'	S 20°37'13" E	1°53'01"
C5	300.00'	64.05'	63.94'	N 22°46'41" W	12°14'06"
C6	5629.58'	129.97'	129.96'	S 17°13'30" E	0°19'22"

LINE TABLE

LINE	LENGTH	BEARING
L1	233.88'	S 03°55'20" E
L2	41.79'	N 16°38'37" W
L3	62.78'	N 16°39'37" W
L4	32.00'	S 73°20'23" E
L5	42.00'	S 16°33'49" E

P:\Warren\1942\Drawings\Survey\FINAL\1942-FP.dwg
DATE OF PREPARATION: 7/31/2008



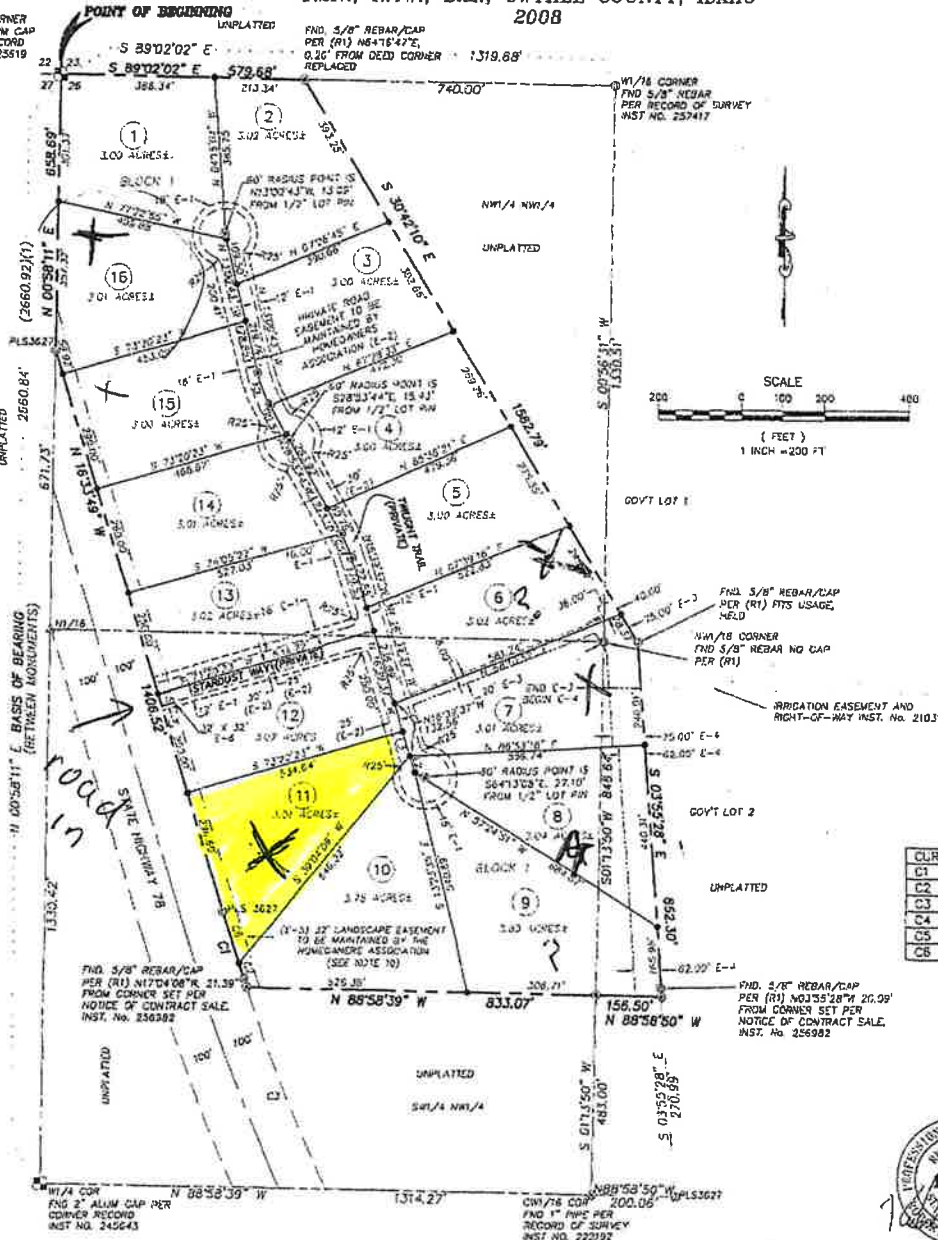
OWYHEE VALLEY ENGINEERS, INC.
1301 E. 1000 NORTH
MILWAUKEE, IDAHO 83401
(208) 765-2000
FAX (208) 765-2001

Visit our web site: www.whe-inc.com

LEGEND

- PLAT BOUNDARY
- LOT LINE
- SECTIONAL LINE
- EXISTING EASEMENT
- NEW EASEMENT E-1 (SEE NOTE 7)
- NEW PRIVATE ROAD EASEMENT E-2 (SEE NOTE 5)
- NEW EASEMENT E-3 & E-4 (SEE NOTES 8 & 9)
- NEW EASEMENT E-5 (SEE NOTE 10)
- NEW EASEMENT E-6 (SEE NOTE 11)
- CENTERLINE
- RIGHT-OF-WAY
- FOUND ALUMINUM CAP MONUMENT
- FOUND IRON PIPE
- ⊙ FOUND 5/8" REBAR
- ✱ SET 5/8" x 30" REBAR/CAP PLS 10782
- ✱ SET 1/2" x 24" REBAR/CAP PLS 10782
- △ CALCULATED POINT
- RECORD INFORMATION
- (S) LOT NUMBERS
- E-1 NEW IRRIGATION, DRAINAGE & PUBLIC UTILITY EASEMENT (NOTE 3)
- E-2 NEW PRIVATE ROAD & DRAINAGE EASEMENT (NOTE 5)
- E-3 NEW INGRESS - EGRESS, IRRIGATION & PUBLIC UTILITY EASEMENT (NOTE 8)
- E-4 NEW INGRESS - EGRESS, IRRIGATION & PUBLIC UTILITY EASEMENT (SEE NOTE 9)
- E-5 NEW LANDSCAPE EASEMENT (NOTE 10)
- E-6 NEW SCHOOL BUS STOP EASEMENT (NOTE 11)

SECTION CORNER
FND 2" ALLOW CAP
CORNER RECORD
INST. NO. 225619



SHEET 1 OF 3



100 10th Avenue South
Nampa, ID 83651

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 735337 CH/TG

Instrument # 305609
MURPHY, OWYHEE, IDAHO
2020-11-24 11:50:05 No. of Pages: 1
Recorded for: PIONEER TITLE COMPANY/OWYHEE
ANGELA BARKELL Fee: \$15.00
Ex-Officio Recorder Deputy: map
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

WARRANTY DEED

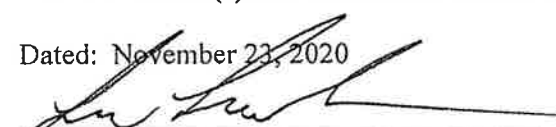
For Value Received Lamou Loucks and Melissa Loucks, husband and wife
hereinafter referred to as Grantors, do hereby grant, bargain, sell, warrant and convey unto

Lynette Renee Fraga and Frank Silva Fraga, wife and husband
hereinafter referred to as Grantee, whose current address is 1709 Clearwood St., Pittsburg, CA 94565
The following described premises, to-wit:

Lot 11 of Block 1, Sunset Meadow Subdivision, according to the official plat thereof, recorded
October 17, 2008 as Instrument No. 266525, of Official records of Owyhee County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

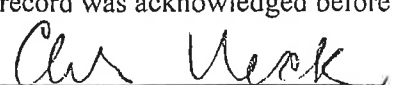
Dated: November 23, 2020


Lamou Loucks

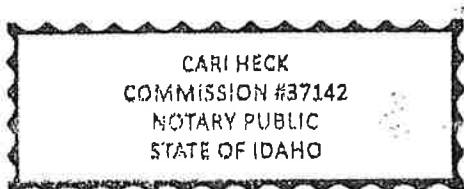

Melissa Loucks

State of IDAHO, County of CANYON

This record was acknowledged before me on November 23, 2020 by Lamou Loucks and Melissa Loucks.


Signature of notary public

Commission Expires: 11/2/2025



305609



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 06, 2021

LYNETTE RENEE FRAGA
FRANK SILVA FRAGA
1709 CLEARWOOD ST
PITTSBURG CA 94565-7314

Re: Change in Water Right Ownership: 2-2077 E (Split into 2-2077 E and **2-10622**),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4945.

Sincerely,

Amanda Veibell

Technical Records Specialist 1