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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 24 2020

JAN 27 2020

Incomplete
WATER 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
2-10349	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: ANITA and LEO BERGER
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): THE DAUG and TERRI FROENICH Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 24359 Cowboy Lane Middleton ID 83644
Mailing address City State ZIP
- (208) 585-3579 TerriBlazer@outlook.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 1/24/2020
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):
- 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: [Signature] 1-17-20
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 1/17/2020
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only: LE 2/24/2020 W048073 \$25.00
 Received by LE Date 1/27/2020 Receipt No. W048007 Receipt Amt. \$25.00
 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 LE Approved by LE Processed by LE Date 03/03/2020

Refund for W048073 Requested 03/03/20 -LE



PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

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

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**WATER RESOURCES
WESTERN REGION**

Instrument # 302444

MURPHY, OWYHEE, IDAHO

2020-01-23 02:44:26 No. of Pages: 2

Recorded for: PIONEER TITLE COMPANY/OWYHEE

ANGELA BARKELL Fee: \$15.00

Ex-Officio Recorder Deputy: HLR

Index To: DEED WARRANTY

Electronically Recorded by Simplifile

File No. 702007 TK/TG

WARRANTY DEED

For Value Received Leo Berger and Anita Berger, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

**Douglas Mark Franich and Terri Julia Franich, Trustees of The Doug and Terri Franich Family
Trust**

hereinafter referred to as Grantee, whose current address is *24359 Cowboy Lane, Middleton,
ID 83644*

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

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: January 10, 2020

Leo Berger
Leo Berger

Anita Berger
Anita Berger

State of Idaho, County of Canyon

This record was acknowledged before me on *Jan 14th 2020* by Leo Berger and Anita Berger

Katie Taylor
Signature of notary public
Commission Expires: *2/3/2022*

RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES 10/26/2022



302444

EXHIBIT A

Lot 11, Block 1, HIDDEN VALLEY ESTATES SUBDIVISION, Owyhee County, Idaho, according to the plat thereof recorded February 16, 1995 as Instrument No. 214934, records of said County.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 03, 2020

THE DOUG AND TERRI FRANICH FAMILY TRUST
24359 COWBOY LN
MIDDLETON ID 83644-5299

Re: Change in Ownership for Water Right No(s): 2-10349

Dear Water Right Holder(s):

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

Additionally, it was found that you submitted two \$25 processing fees, totaling \$50, for this Notice of Change in Water Right Ownership. Only one processing fee is required for this Notice. A refund of \$25 has been requested and will be mailed to Tamara Haney under separate cover from the Idaho State Controller's Office.

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) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure

Evans, Lynne

From: Evans, Lynne
Sent: Tuesday, March 3, 2020 2:48 PM
To: Marston, Sascha
Subject: Refund - Haney

TO: Sascha Marston

FROM: Lynne Evans

DATE: March 03, 2020

RE: *Refund: Change in Water Right Ownership*

Please refund \$25. The Doug and Terri Franich Family Trust put in a Notice of Change in Water Right Ownership, and submitted two payments on different dates. The second payment needs to be refunded back to the payer, Tamara Haney.

Please issue a refund of \$25 to:

TAMARA HANEY
26538 KENN WAY
MIDDLETON ID 83644

RECEIPT #

W048073

Lynne Evans | Office Specialist II
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 13, 2020

THE DOUG AND TERRI FRANICH FAMILY TRUST
24359 COWBOY LN
MIDDLETON ID 83644-5299

RE: Change in Ownership for Water Right No: 2-10349

Dear Interested Parties:

The Department of Water Resources (Western) acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- ☒ Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ☒ Legal Description of Property

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 605-4622.

Sincerely,

Lynne Evans
Office Specialist II