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SEP 01 2016
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
63-3259	Yes ☒	Yes ☐	63-34313	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Eugene Frank
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James Frank & Shauna Anthony - Santhony
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- Mailing address 4202 W. Franklin City Boise State ID ZIP 83705
- Telephone 208-724-3920 Email Santhony@VarsityFS.com
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: May 6th 2011
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 # 63-3259

8. Signature: Shauna Anthony Title, if applicable owner Date 9-1-16
 Signature: Jim Frank Title, if applicable owner Date 9/1/16

For IDWR Office Use Only:

Received by [Signature] Date 9/1/16 Receipt No. W044579 Receipt Amt. \$100⁰⁰
 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 [Signature] Processed by [Signature] Date 11/14/2016

2011 MAY 6 AM 11 40

RECORDED

CANYON COUNTY RECORDER
BY BILL

James A. Frank
Dad

SPECIAL WARRANTY DEED

JAMES A. FRANK, SHAWNA D. ANTHONY and MARILYN JEAN MARSCHALL (all hereafter referred to as "Grantors" and all dealing with their separate property) are currently tenants in common of all that certain property identified and designated as "Parcel 1" and "Parcel 2," respectively described in "Exhibit A" and "Exhibit B" attached hereto and incorporated herein by this reference; the real property described in said "Exhibit A" and "Exhibit B" hereto is collectively referred to herein as the "Property."

For valuable consideration, and to facilitate a Canyon County Administrative Land Division of the Property into "Parcel 1" and "Parcel 2" as described in "Exhibit A" and "Exhibit B" hereto so as to transfer said parcels to the Grantors in ownership different than as the current tenants in common of the whole Property, the Grantors to hereby divide, grant, bargain, sell and convey the Property as follows:

- All that portion of the Property identified, described and designated as "Parcel 1" in "Exhibit A" hereto, unto Grantees James A. Frank and Shawna D. Anthony, whose address is c/o James Frank 1109 South Roosevelt, Boise, Idaho 83705, as tenants in common; and,
- All that portion of the Property identified, described and designated as "Parcel 2" in "Exhibit B" hereto, unto Grantee Marilyn Jean Marschall, whose address is 3680 1st Lane East, Parma, Idaho 83660.

Both conveyances designated above are SUBJECT TO taxes, easements established, restrictions and encumbrances of record, rights reserved in federal patents or state or railroad deeds, building or use restrictions, building and zoning regulations, and ordinances of any governmental unit; "Parcel 2" is further subject to a perpetual easement (which shall run with the land) for ditch and other water rights and water delivery rights or requirements to "Parcel 1," over and upon "Parcel 2," either in the current configuration and location or as may be subsequently agreed by the respective owners of "Parcel 1" and "Parcel 2." Said easement more particularly described on the attached Exhibit "C"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and Grantees' heirs and assigns forever; and, the Grantors do hereby covenant to and with said Grantees that Grantors are the owner in fee simple of said premises, that said premises are free from all encumbrances except those described above and any other matters of record, and that Grantors will warrant and defend the same from all lawful claims whatsoever. Grantors further covenant and warrant that they will subsequently execute and deliver for recording (if needed) all further conveyances and documents which may be required to facilitate and accomplish the intent and objectives of the conveyance in conformance with the legal descriptions set forth on "Exhibit A"

mn
JF
SA

Parcel 1

This parcel is a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (E $\frac{1}{4}$ Corner, Section 23), a found brass cap monument;

thence North $0^{\circ} 25' 14''$ West along the east boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1324.26 feet to the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, a found $\frac{5}{8}$ inch diameter rebar;

thence North $0^{\circ} 25' 15''$ West along the east boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 60.53 feet to the **TRUE POINT OF BEGINNING**, a $\frac{5}{8}$ x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence South $89^{\circ} 47' 58''$ West parallel with the south boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1326.66 feet to a gin spike set with an aluminum washer stamped L.S. 3627, witnessed by a $\frac{5}{8}$ x 30 inch rebar set with a plastic cap stamped L.S. 3627 bearing North $89^{\circ} 47' 58''$ East a distance of 25.00 feet;

thence North $0^{\circ} 29' 32''$ West along the west boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1261.35 feet to the northwest corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, a $\frac{5}{8}$ x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence North $89^{\circ} 41' 47''$ East along the north boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1328.22 feet to the northeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, witnessed by a found $\frac{5}{8}$ inch diameter rebar with an aluminum cap bearing South $0^{\circ} 25' 15''$ East a distance of 40.00 feet;

thence South $0^{\circ} 25' 15''$ East along the east boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1263.73 feet to the **TRUE POINT OF BEGINNING**, containing 38.47 acres, more or less, and being subject to all easements and rights-of-way of record or implied.



EXHIBIT **A** to s

DATED: May 6, 2011.

James A Frank
JAMES A. FRANK, Grantor

DATED: May 6, 2011.

Shawna D Anthony
SHAWNA D. ANTHONY, Grantor

DATED: May 6, 2011.

Marilyn Jean Marschall
MARILYN JEAN MARSCHALL, Grantor

STATE OF IDAHO)
 :SS.
County of Canyon)

On this 6th day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JAMES A. FRANK and SHAWNA D. ANTHONY, 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 first above written.



Joyce L. Keeter
NOTARY PUBLIC FOR IDAHO
Residing at Caldwell, Idaho
My Commission Expires: 8-9-2011

STATE OF IDAHO)
 :SS.
County of Canyon)

On this 6th day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MARILYN JEAN MARSCHALL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Joyce L. Keeter
NOTARY PUBLIC FOR IDAHO
Residing at Caldwell, Idaho
My Commission Expires: 8-9-2011

SPECIAL WARRANT

Parcel 2

This parcel is a portion of the SE ¼ NE ¼ and of the NE ¼ NE ¼ of Section 23, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE ¼ NE ¼ (E ¼ Corner, Section 23), a found brass cap monument;

thence North 0° 25' 14" West along the east boundary of said SE ¼ NE ¼ a distance of 118.56 feet to the **TRUE POINT OF BEGINNING**, a point on the northerly right-of-way of State Highway 19, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence along said northerly right-of-way as follows:

North 89° 51' 36" West a distance of 166.38 feet to a found right-of-way brass cap stamped Sta. 666+62.01 60' Lt.;

South 89° 56' 25" West a distance of 1158.72 feet to a point on the west boundary of said SE ¼ NE ¼ witnessed by a found broken right-of-way monument bearing North 89° 56' 25" East a distance of 25.52 feet;

thence leaving said northerly right-of-way and bearing North 0° 29' 31" West along said west boundary a distance of 1201.87 feet to the northwest corner of said SE ¼ NE ¼, a found 5/8 inch diameter rebar;

thence North 0° 29' 32" West along the west boundary of the NE ¼ NE ¼ a distance of 60.53 feet to a ginspike set with an aluminum washer stamped L.S. 3627, witnessed by a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627 bearing North 89° 47' 58" East a distance of 25.00 feet;

thence North 89° 47' 58" East parallel with the north boundary of said SE ¼ NE ¼ a distance of 1326.66 feet to a point on the east boundary of the NE ¼ NE ¼, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence South 0° 25' 15" East along said east boundary a distance of 60.53 feet to the southeast corner of the NE ¼ NE ¼, a found 5/8 inch diameter rebar;

thence South 0° 25' 14" East along the east boundary of said SE ¼ NE ¼ a distance of 1205.70 feet to the **TRUE POINT OF BEGINNING**, containing 38.47 acres, more or less, and being subject to all easements and rights-of-way of record or implied.

EXHIBIT B
To Special Warranty Deed

Handwritten signature and stamp: "HALL AND SONS REGISTERED" with a date "6-2-1964".



*Skinner Land
Survey Co., Inc.*
312 W. South Street
Grangeville, Idaho 83530
(208)983-2517 Grangeville
(208)454-0933 Nampa/Caldwell
surveys@skinnerlandsurvey.com

Greg L. Skinner, PLS
Rodney Kahle-Clark, PE
T.J. Wellard, ST

April 29, 2011

Legal Description
Marilyn Marschall
Job No. AP0411

Irrigation Easement

This easement lies in a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (E $\frac{1}{4}$ Corner, Section 23), a found brass cap monument;

thence North $0^{\circ} 25' 14''$ West along the east boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 118.56 feet to the **TRUE POINT OF BEGINNING**, a point on the northerly right-of-way of State Highway 19, a $\frac{5}{8}$ x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence along said northerly right-of-way North $85^{\circ} 51' 36''$ West a distance of 20.00;

thence North $0^{\circ} 25' 14''$ West parallel with the east boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1266.12 feet;

thence North $89^{\circ} 47' 58''$ East parallel with the north boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 20.00 feet to a point on the east boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, a $\frac{5}{8}$ x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence South $0^{\circ} 25' 15''$ East along said east boundary a distance of 60.53 feet to the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, a found $\frac{5}{8}$ inch diameter rebar;

thence South $0^{\circ} 25' 14''$ East along the east boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1205.70 feet to the **TRUE POINT OF BEGINNING**, and being subject to all easements and rights-of-way of record or implied.



Exhibit "A"

SPECIAL WARRANTY DEED

JAMES A. FRANK, SHAWNA D. ANTHONY and MARILYN JEAN MARSCHALL (all hereafter referred to as "Grantors" and all dealing with their separate property) are currently tenants in common of all that certain property identified and designated as "Parcel 1" and "Parcel 2," respectively described in "Exhibit A" and "Exhibit B" attached hereto and incorporated herein by this reference; the real property described in said "Exhibit A" and "Exhibit B" hereto is collectively referred to herein as the "Property."

For valuable consideration, and to facilitate a Canyon County Administrative Land Division of the Property into "Parcel 1" and "Parcel 2" as described in "Exhibit A" and "Exhibit B" hereto so as to transfer said parcels to the Grantors in ownership different than as the current tenants in common of the whole Property, the Grantors to hereby divide, grant, bargain, sell and convey the Property as follows:

- All that portion of the Property identified, described and designated as "Parcel 1" in "Exhibit A" hereto, unto Grantees James A. Frank and Shawna D. Anthony, whose address is c/o James Frank 1109 South Roosevelt, Boise, Idaho 83705, as tenants in common; and,
- All that portion of the Property identified, described and designated as "Parcel 2" in "Exhibit B" hereto, unto Grantee Marilyn Jean Marschall, whose address is 3680 1st Lane East, Parma, Idaho 83660.

Both conveyances designated above are SUBJECT TO taxes, easements established, restrictions and encumbrances of record, rights reserved in federal patents or state or railroad deeds, building or use restrictions, building and zoning regulations, and ordinances of any governmental unit; "Parcel 2" is further subject to a perpetual easement (which shall run with the land) for ditch and other water rights and water delivery rights or requirements to "Parcel 1," over and upon "Parcel 2," either in the current configuration and location or as may be subsequently agreed by the respective owners of "Parcel 1" and "Parcel 2."

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and Grantees' heirs and assigns forever; and, the Grantors do hereby covenant to and with said Grantees that Grantors are the owner in fee simple of said premises, that said premises are free from all encumbrances except those described above and any other matters of record, and that Grantors will warrant and defend the same from all lawful claims whatsoever. Grantors further covenant and warrant that they will subsequently execute and deliver for recording (if needed) all further conveyances and other documents which may be required to facilitate and accomplish the intent and objectives of the conveyances subject hereof in conformance with the legal descriptions set forth on "Exhibit A" and "Exhibit B" hereto.

DATED: May _____, 2011.

JAMES A. FRANK, Grantor

DATED: May _____, 2011.

SHAWNA D. ANTHONY, Grantor

DATED: May _____, 2011.

MARILYN JEAN MARSCHALL, Grantor

STATE OF IDAHO)
 :ss.
County of Canyon)

On this _____ day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JAMES A. FRANK and SHAWNA D. ANTHONY, 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 first above written.

NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires: _____

STATE OF IDAHO)
 :ss.
County of Canyon)

On this _____ day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MARILYN JEAN MARSCHALL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My Commission Expires: _____

Parcel 1

This parcel is a portion of the NE ¼ NE ¼ of Section 23, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE ¼ NE ¼ (E ¼ Corner, Section 23), a found brass cap monument;

thence North 0° 25' 14" West along the east boundary of said SE ¼ NE ¼ a distance of 1324.26 feet to the southeast corner of the NE ¼ NE ¼, a found 5/8 inch diameter rebar;

thence North 0° 25' 15" West along the east boundary of said NE ¼ NE ¼ a distance of 60.53 feet to the **TRUE POINT OF BEGINNING**, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence South 89° 47' 58" West parallel with the south boundary of said NE ¼ NE ¼ a distance of 1326.66 feet to a gin spike set with an aluminum washer stamped L.S. 3627, witnessed by a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627 bearing North 89° 47' 58" East a distance of 25.00 feet;

thence North 0° 29' 32" West along the west boundary of said NE ¼ NE ¼ a distance of 1261.35 feet to the northwest corner of said NE ¼ NE ¼, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence North 89° 41' 47" East along the north boundary of said NE ¼ NE ¼ a distance of 1328.22 feet to the northeast corner of said NE ¼ NE ¼, witnessed by a found 5/8 inch diameter rebar with an aluminum cap bearing South 0° 25' 15" East a distance of 40.00 feet;

thence South 0° 25' 15" East along the east boundary of said NE ¼ NE ¼ a distance of 1263.73 feet to the **TRUE POINT OF BEGINNING**, containing 38.47 acres, more or less, and being subject to all easements and rights-of-way of record or implied.



EXHIBIT A to Special Warranty Deed

Parcel 2

This parcel is a portion of the SE ¼ NE ¼ and of the NE ¼ NE ¼ of Section 23, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE ¼ NE ¼ (E ¼ Corner, Section 23), a found brass cap monument;

thence North 0° 25' 14" West along the east boundary of said SE ¼ NE ¼ a distance of 118.56 feet to the **TRUE POINT OF BEGINNING**, a point on the northerly right-of-way of State Highway 19, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence along said northerly right-of-way as follows:

North 89° 51' 36" West a distance of 166.38 feet to a found right-of-way brass cap stamped Sta. 666+62.01 60' Lt.;

South 89° 56' 25" West a distance of 1158.72 feet to a point on the west boundary of said SE ¼ NE ¼ witnessed by a found broken right-of-way monument bearing North 89° 56' 25" East a distance of 25.52 feet;

thence leaving said northerly right-of-way and bearing North 0° 29' 31" West along said west boundary a distance of 1201.87 feet to the northwest corner of said SE ¼ NE ¼, a found 5/8 inch diameter rebar;

thence North 0° 29' 32" West along the west boundary of the NE ¼ NE ¼ a distance of 60.53 feet to a ginspike set with an aluminum washer stamped L.S. 3627, witnessed by a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627 bearing North 89° 47' 58" East a distance of 25.00 feet;

thence North 89° 47' 58" East parallel with the north boundary of said SE ¼ NE ¼ a distance of 1326.66 feet to a point on the east boundary of the NE ¼ NE ¼, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence South 0° 25' 15" East along said east boundary a distance of 60.53 feet to the southeast corner of the NE ¼ NE ¼, a found 5/8 inch diameter rebar;

thence South 0° 25' 14" East along the east boundary of said SE ¼ NE ¼ a distance of 1205.70 feet to the **TRUE POINT OF BEGINNING**, containing 38.47 acres, more or less, and being subject to all easements and rights-of-way of record or implied.

EXHIBIT B
To Special Warranty Deed

