

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 06 2007

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned. Department of Water Resources Eastern Region

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
29-07060					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water 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 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)	<u>RUTH A. FRANK LIVING TRUST</u> <u>4300 TECH FARM RD. POCA TELLO, ID 83204</u>
4. New Owner/Claimant(s)	<u>MICHAEL W. SEIBERT & KATHY SEIBERT</u> Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
New Mailing Address	<u>1665 POCA TELLO CREEK RD.</u>
City, State and ZIP Code	<u>POCA TELLO, ID. 83201</u>
New Telephone Number	<u>(208) 233-1665</u> <u>208 681-4472 CELL</u>

5. Date you acquired the property

3-5-2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Michael W. Seiber
(title if applicable)
Kathy Seiber
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by SL
 Received by SL
 Processed by AJ

Date 3/6/07
 Date 3/7/07
 Date _____

Receipt Amt. \$20,000
 Receipt No. E032662
 WR _____ Date _____

3-1

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
2240 East Center
Pocatello, ID 83201

893
FIRST AMERICAN TITLE

20705043

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **199435-P (sg)**

Date: **March 01, 2007**

For Value Received, **Michael Borg Frank, Co-Trustee and Karen F Otte, Co-Trustee, under the Ruth A. Frank Living Trust dated January 10, 1997**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Michael W. Seibert and Kathy Seibert, husband and wife**, hereinafter called the Grantee, whose current address is **1665 Pocatello Creek Road, Pocatello, ID 83201**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Michael Borg Frank, Co-Trustee and Karen F
Otte, Co-Trustee, under the Ruth A. Frank
Living Trust dated January 10, 1997

Michael Borg Frank

Michael Borg Frank, Co-Trustee

Karen F Otte

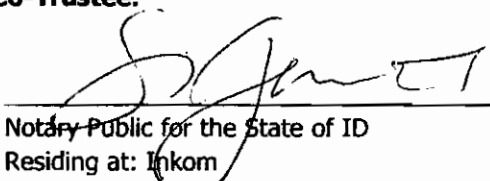
Karen F Otte, Co-Trustee

STATE OF Idaho)
)
COUNTY OF Bannock)

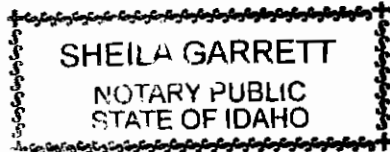
3-2

20705043

On this **5th day of March, 2007**, before me, a Notary Public in and for said State, personally appeared **Michael Borg Frank and Karen F. Otte**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Co-Trustees of Ruth A. Frank Living Trust**, and acknowledged to me that he/she/they executed the same as such **Co-Trustee**.



Notary Public for the State of ID
Residing at: Inkom
My Commission Expires: 9-17-2011



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EXHIBIT A

20705043

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 2, SECTION 7, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, BEING A PORTION OF THE LANDS DESCRIBED IN INSTRUMENT 97021090, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 2, (WEST 1/4 CORNER); THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 33.0 FEET; THENCE NORTHERLY ALONG THE EAST RIGHT OF WAY LINE OF TECH FARM ROAD A DISTANCE OF 528.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN INSTRUMENT NO. 97021090, OF THE RECORDS OF BANNOCK COUNTY, THE TRUE POINT OF BEGINNING.

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID INSTRUMENT 97021090, PARALLEL TO THE SOUTH LINE OF GOVERNMENT LOT 2, A DISTANCE OF 1226.8 FEET, MORE OR LESS, TO THE EAST BOUNDARY LINE OF SAID LOT 2; THENCE NORTHERLY ALONG THE EAST LINE OF GOVERNMENT LOT 2, A DISTANCE OF 330.0 FEET, MORE OR LESS, TO THE NORTH BOUNDARY LINE OF SAID INSTRUMENT 97021090; THENCE WESTERLY ALONG SAID NORTH BOUNDARY LINE OF INSTRUMENT 97021090, PARALLEL WITH THE SOUTH LINE OF GOVERNMENT LOT 2, A DISTANCE OF 1126.8 FEET; THENCE SOUTH PARALLEL WITH THE EAST RIGHT OF WAY LINE OF TECH FARM ROAD, A DISTANCE OF 100.0 FEET;

THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID INSTRUMENT 97021090, A DISTANCE OF 100.0 FEET, TO THE EAST RIGHT OF WAY LINE OF TECH FARM ROAD; THENCE SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF TECH FARM ROAD, A DISTANCE OF 230.0 FEET MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

MBT
Kefo
KLS