

No Color
Documents
In File

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

RECEIVEDJUL 12 2001
Department of Water Resources

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

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-07060					
29-12037 - partial decree					

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 usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **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) Joseph H. Frank
4. New Owner/Claimant(s) Ruth A. Frank Living Trust (dated 1/10/97)
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property 1/10/97 (date of Ruth A. Frank Living Trust)

MICROFILMED

JUL 16 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Ruth A Frank

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.

For Office Use Only

Received by gc Date 6/20/01 Fee \$25 -
 Receipted by gc Date 6/20/01 Receipt No. E026839
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED
AUG 26 2002

97019101

CORRECTED WARRANTY DEED

9702109D

For Value Received, RUTH A. FRANK,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: RUTH A. FRANK, Trustee, or her successors in trust, under the RUTH A. FRANK LIVING TRUST dated January 10, 1997, and any amendments thereto.

Hereinafter called the grantee, whose current address is:

4300 Tech Farm Rd.
Pocatello, ID 83204-3770

the following described premises, in Bannock County, Idaho, to-wit:

SEE EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED:

Ruth A. Frank
RUTH A. FRANK

STATE OF IDAHO, COUNTY OF BANNOCK

On this 12-08-97 before
me, a notary public in and for said State, personally
appeared

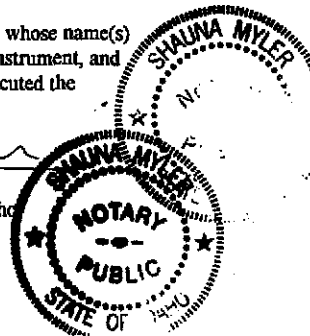
RUTH A. FRANK

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
at the request of
at _____ minutes past _____ o'clock m.
this _____ day of _____
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that he executed the
same

Shauna Myler
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 8-13-99



Ex-Officio Recorder

By _____
Deputy.

Fees \$ _____
Mail to: _____

97 DEC 8 AM 11 49

No. 97021091

Recorded at request of

Ruth Frank

Date _____

Record Book 700

MICROFILMED

AUG 26 2002

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the Westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an Easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

MICROFILMED

AUG 26 2002

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by RUTH A. FRANK, as Personal Representative of the Estate of JOSEPH HARRY FRANK, deceased, Grantor, to RUTH A. FRANK, Grantee, whose current address is 4300 Tech Farm Rd, Pocatello, ID. 83204-3700.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. SP 1E 97-00099, in Bannock County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Bannock County, Idaho:

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

EXECUTED this 26th day of March, 1997.



RUTH A. FRANK

Personal Representative of the
Estate of JOSEPH HARRY FRANK, deceased.

MICROFILMED

AUG 26 2002

STATE OF IDAHO

COUNTY OF BANNOCK

)
: ss
)

2-2
97012564

On this 24th day of March, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, RUTH A. FRANK, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of JOSEPH HARRY FRANK, deceased, and acknowledged to me that (s)he executed the same as such Personal Representative.

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

NOTARY SEAL

M. Gary Atkinson
NOTARY PUBLIC

Residing at: Lawn Lake, IL

My Commission Expires: 02 08 02

NO 97012564
RECORDED AT REQUEST OF
M. GARY ATKINSON ATT.
37 JUL 28 AM 10 52
OPTIONAL RECORD BOOK NO 692
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 6.00 DEPUTY LK

MICROFILMED

AUG 26 2002

WARRANTY DEED

COPY

97019101

For Value Received, RUTH A. FRANK,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: RUTH A. FRANK, Trustee, or her successors in trust, under the RUTH A. FRANK LIVING TRUST dated November 07, 1996, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 4300 Tech Farm Rd.
Pocatello, ID 83204-3770

the following described premises, in Bannock County, Idaho, to-wit:

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED:

Ruth A. Frank
RUTH A. FRANK

STATE OF IDAHO, COUNTY OF BANNOCK

On this 10 March 1997 before
me, a notary public in and for said State, personally
appeared

RUTH A. FRANK

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that he executed the
same.

M. Gary Atkinson
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 01-01-00

NOTARY SEAL

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
at the request of
at _____ minutes past _____ o'clock m.
this _____ day of _____,
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$

Mail to:

'97 NOV 5 AM 10 39

No. 97019101

Recorded at request of M. Gary Atkinson

Date: _____

Official Record Book 699

Bannock County Recorder

MICROFILMED

AUG 25 2002

2-2

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

MICROFILMED

AUG 26 2002

'97 NOV 5 AM 10 34

No.

97019101

Recorded at request of

M. H. Atkinson

COPY

QUIT CLAIM DEED

THIS INDENTURE, Made the 11th day of September in the year of our Lord One Thousand Nine Hundred and fifty between Joseph M. Frank and Ruth A. Frank, husband and wife of Pocatello, of the County of Bannock and State of Idaho the parties of the first part, and Albert M. Smith and Helen C. Smith, husband and wife of Pocatello, of the County of Bannock and State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quit claim unto the said parties of the second part, and to their heirs and assigns all that certain real estate situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the Westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an Easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to Easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods East of the West boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the Westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.

Together with all canals, ditches, water and water rights appertaining thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said parties of the second part, and to their heirs and assigns forever.

IN TESTIMONY WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Joseph M. Frank [SEAL]
Ruth A. Frank [SEAL]

MICROFILMED
AUG 26 2002

County of Shannock } SS.

On this 11th day of September in the year 19 50, before me
a Notary Public
in and for said County and State personally appeared Joseph H. Frank and Ruth A. Frank
husband and wife

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 in this
certificate, first above written.

Keith L. Williams
Notary Public.

Residence Pocatello, Idaho.

No.

TO

Dated 19

QUIT CLAIM DEED

STATE OF IDAHO.

County of SS.

I hereby certify that this instrument was filed for
record at request of

at minutes past

of o'clock, M.

this day of

A. D. 19 in my office and duly recorded in

Book of Deeds at page

Ex-Officio Recorder.

By Deputy.

Fee, \$

PRINCE & SONS, POCATELLO, IDAHO

MICROFILMED

AUG 25 2002

COPY

346508

THIS INDENTURE, made this 11th day of Sept. in the year of our Lord, One Thousand Nine Hundred and fifty , between

Albert A. Smith and Helen C. Smith, husband and wife
of Pocatello , County of Bannock , State of Idaho
the parties of the first part, and Joseph A. Frank and Ruth A. Frank,
husband and wife

of Pocatello , County of Bannock , State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot , piece or parcel of land situate, lying and being in the County of Bannock , State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at the Southwest corner of Lot 2, Section 7, Township 7 South Range 35 East Boise Meridian, thence East along the Southerly boundary of said Lot 2 a distance of 2 rods; thence running North and parallel with the westerly boundary line of said Lot 2 a distance of 32 rods for the beginning point of the following survey, thence running in an easterly direction and parallel with Southerly boundary line of Lot 2 a distance of 1226.8 feet, more or less to easterly boundary line of said Lot 2, thence at right angles to last described line and running in Northerly direction along Easterly boundary line of said Lot 2 a distance of 20 rods; thence at right angles to last described line and running in a westerly direction and parallel to Southerly line of said Lot 2 a distance of 1226.8 feet, more or less to a point that is 2 rods east of the west boundary line of said Lot 2, thence at right angles to last described line and running in a Southerly direction and parallel with the westerly boundary of said Lot 2 a distance of 20 rods to the point of beginning, comprising approximately 10 acres.
Together with all canals, ditches, water and water rights appertaining thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Albert A. Smith [SEAL]
Helen C. Smith [SEAL]
[SEAL]
[SEAL]



MICROFILMED
JUN 26 2002

346508

STATE OF IDAHO.

COUNTY OF Bannock

ss:

On this 11th day of September, in the year 1950, before me
 a Notary Public in and for said County and
 State, personally appeared Albert M. Smith and Helen C. Smith, husband and wife

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
 in this certificate first above written.



Keith E. Miller
 Notary Public

Residence Pocatello, Idaho

WARRANTY DEED

346508

TO

Dated _____, 19____

STATE OF IDAHO.

COUNTY OF _____ } ss:

I hereby certify that this instrument
 was filed for record at the request of

at _____ minutes past
 o'clock M., this _____ day of

A. D. 19____
 at my office and duly recorded in Book
 of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy

Fee, \$ _____

346508

NO. _____
 Joseph H. Frank
 Route # 1, South
 Jul 17 3 41 PM '53
 OFFICIAL RECORDS, R. NO. 1143
 BANNOCK COUNTY, IDAHO
 SHERIFF

MICROFILMED
 AUG 26 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-12037

RECEIVED
JUN 26 1998
Department of Water Resources
Adjudication Bureau

NAME AND ADDRESS: JOSEPH H FRANK
4300 TECH FARM RD
POCATELLO, ID 83204

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/08/1935

POINT OF DIVERSION: T07S R35E S07 SWNW Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

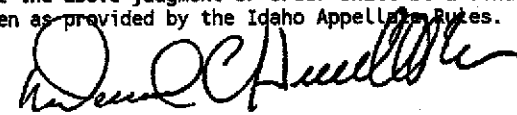
PLACE OF USE: Domestic Within Bannock County
T07S R35E S07 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

AUG 26 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2002

RUTH A FRANK
RUTH A FRANK LIVING TRUST
4300 TECH FARM RD
POCATELLO ID 83204-3770

RE: Change of Ownership for Water Right 29-12037

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. The ownership change form you filed with the office did not show your current address and phone number. Therefore, please review the enclosed report for your correct address and contact me if any changes need to be made.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

for Jeff Peppersack, Manager
Water Right Permits Section

JP:dg

Enclosure

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AUG 26 2002