

RECEIVED

JUL 03 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN 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?
75-14511 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
75-14511 75-15105	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charles H. Terry and Edna L. Terry Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lynda C. Borchert, Trustee of the Terry Family Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 8939 Martin Ave. Fountain Valley CA 92708
Mailing address City State ZIP
- (714) 402-6705 lynda.borchert@gmail.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: June 2, 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.
8. Signature: Lynda C. Borchert Trustee Terry Family Trust 6-28-2024
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 7/3/2024 Receipt No. E050210 Receipt Amt. \$100. -
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 JB Processed by JB Date 7/15/2024

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Timothy J. Kay, Snell & Wilmer, LLP
600 Anton Blvd., Ste. 1400
Costa Mesa, CA 92626

(Space Above For Recorder's Use)

QUITCLAIM DEED

For value received Lynda C. Borchert, as Trustee of the Terry Family Trust dated September 12, 1997, as amended ("Grantor"), does hereby release and forever quitclaim unto Lynda C. Borchert, as Trustee of the Decedent's Trust established under the Terry Family Trust dated September 12, 1997, as amended ("Grantee"), whose address is 8939 Martin Ave., Fountain Valley, CA 92708, and its heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Idaho County, State of Idaho:

Lots 1, 2, 3 and 5 in Eagle Rock Subdivision according to the Official Plat thereof filed for record in Book 5 of Plats at page 38-1, Records of Lemhi County, Idaho; and

Lots 6, 7 and 8 in Napoleon Creek Subdivision according to the Official Plat thereof filed for record in Book 6 of Plats at page 31, Records of Lemhi County, Idaho.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 18th day of June, 2019.


Lynda C. Borchert, Trustee of the Terry Family
Trust dated September 12, 1997, as amended

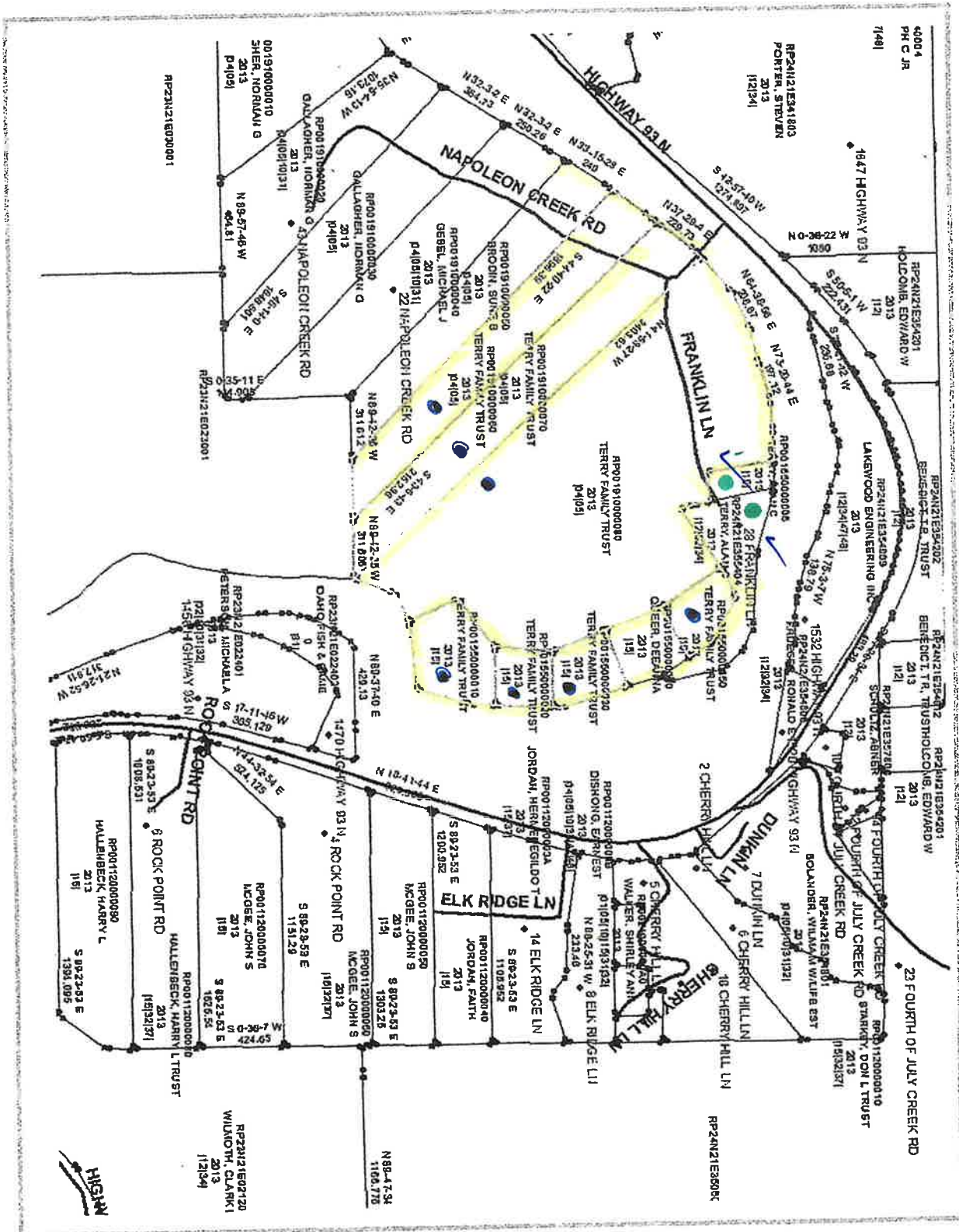
[illegible]

Mary L Conny
Notary Public

 **MARY L. CONRY**
COMM...2158668
NOTARY PUBLIC-CALIFORNIA
LOS ANGELES COUNTY
My Term Exp. June 30, 2020

Plat Map

Borrower	N/A	County	Lemhi	State	ID	Zip Code	83466
Property Address	TBD Hwy 93						
City	North Fork						
Lender/Client	Charles & Lee Terry Estate						



● = TERRY TRUST OWNS
● = CHUCK TERRY OWNS

Franklin Ln
006
404

State of Idaho
Department of Water Resources

Water Right

75-14511

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/28/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



**RECORDING REQUESTED BY
& WHEN RECORDED MAIL TO:**

David W. Evans, Esq.
c/o Snell & Wilmer L.L.P.
600 Anton Blvd., Suite 1400
Costa Mesa, CA 92626

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



24.00

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2017000016381 3:04 pm 01/12/17
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AFFIDAVIT - CHANGE OF TRUSTEE

Lynda C. Borchert, being of legal age and being duly sworn, declares:

On September 12, 1997, Charles H. Terry and Edna L. Terry, as Trustors, executed a revocable living trust known as the Terry Family Trust. They named themselves as Co-Trustees of said Trust.

On March 6, 1998, said Charles H. Terry and Edna L. Terry, as Co-Trustees, acquired the real property commonly known as 21262 San Miguel, Mission Viejo, California. Said property was acquired by Grant Deed dated October 28, 1997, which Grant Deed was recorded on March 5, 1998, as document no. 19980124124 in the Official Records of the Orange County Recorder. Said property is legally described on Exhibit "A" attached hereto and made a part hereof.

On December 8, 2016, Charles H. Terry, being the same person as the decedent mentioned in the certified copy of Certificate of Death attached hereto as Exhibit "B", died. By reason of his death, Edna L. Terry became sole Trustee of the Terry Family Trust.

The Terry Family Trust provides if both Trustors cease to act as Trustee, Lynda C. Borchert is appointed as Trustee.

Edna L. Terry resigned as Trustee on December 29, 2016, and on that same date Lynda C. Borchert accepted the office of Trustee and she is now the qualified and acting Trustee of the Terry Family Trust.

Date: December 29, 2016


Lynda C. Borchert
Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

Subscribed and sworn to (or affirmed) before me on this 29th day of December, 2016, by Lynda C. Borchert, who proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Signature

Jane E Finch

(Seal)



**RECORDING REQUESTED BY
& WHEN RECORDED MAIL TO:**

David W. Evans, Esq.
c/o Snell & Wilmer L.L.P.
600 Anton Blvd., Suite 1400
Costa Mesa, CA 92626

**RESIGNATION OF TRUSTEE AND
ACCEPTANCE OF TRUST BY SUCCESSOR TRUSTEE**

WHEREAS: On September 12, 1997, Charles H. Terry and Edna L. Terry, as Trustors, executed a revocable living trust known as the Terry Family Trust ("Trust"). They amended and restated the Trust in its entirety on April 1, 2013.

WHEREAS: The Trustors named themselves as initial Trustees of the Trust.

WHEREAS: Paragraph 10.4 of the Trust specifies that if either Trustor ceases to act as Trustee, the other Trustor is appointed as sole Trustee, and if both Trustors cease to act as Trustee, Lynda C. Borchert (the Trustors' daughter) is appointed as Trustee.

WHEREAS: Charles H. Terry ceased to act as Trustee by reason of his death on December 8, 2016, and Edna L. Terry now wishes to resign as Trustee and have Lynda C. Borchert become Trustee of the Trust.

WHEREAS: Lynda C. Borchert is willing to act as successor Trustee of the Trust.

NOW, THEREFORE, effective as of December 29, 2016, Edna L. Terry hereby resigns as Trustee of the Terry Family Trust, as amended.

Dated: December 29, 2016

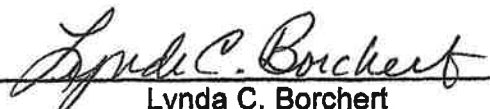


Edna L. Terry
Resigning Trustee

ACCEPTANCE

Effective as of December 29, 2016, I, Lynda C. Borchert, consent and agree to act as successor Trustee of the Terry Family Trust dated September 12, 1997, as amended and restated on April 1, 2013.

Dated: December 29, 2016



Lynda C. Borchert
Successor Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss

On December 29, 2016, before me, Jane E. Finch,
a Notary Public, personally appeared Edna L. Terry and Lynda C. Borchert, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand
and official seal.

Jane E. Finch
Notary's signature



**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

*Timothy J. Kay, Snell & Wilmer, LLP
600 Anton Blvd., Ste. 1400
Costa Mesa, CA 92626*

(Space Above For Recorder's Use)

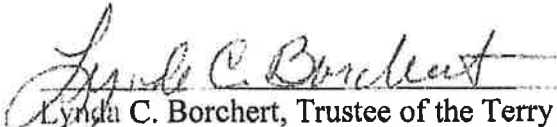
QUITCLAIM DEED

For value received Lynda C. Borchert, as Trustee of the Terry Family Trust dated September 12, 1997, as amended ("Grantor"), does hereby release and forever quitclaim unto Lynda C. Borchert, as Trustee of the Decedent's Trust established under the Terry Family Trust dated September 12, 1997, as amended ("Grantee"), whose address is 8939 Martin Ave., Fountain Valley, CA 92708, and its heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Idaho County, State of Idaho:

Lots 1, 2, 3 and 5 in Eagle Rock Subdivision according to the Official Plat thereof filed for record in Book 5 of Plats at page 38-1, Records of Lemhi County, Idaho; and

Lots 6, 7 and 8 in Napoleon Creek Subdivision according to the Official Plat thereof filed for record in Book 6 of Plats at page 31, Records of Lemhi County, Idaho.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 18th day of June, 2019.


Lynda C. Borchert, Trustee of the Terry Family
Trust dated September 12, 1997, as amended

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On June 18, 2019, before me, Mary L. Conry, a Notary Public, personally appeared Lynda C. Borchert, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Mary L. Conry
Notary Public

(Seal)



QUITCLAIM DEED-2

4847-0769-9606

Instrument # 0000316920



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 3, 2024

TERRY FAMILY TRUST
8939 MARTIN AVE
FOUNTAIN VALLEY CA 92708

RE: Change in Ownership Water Right No. 75-14511

Dear Sir/Madam:

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

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

**** **Evidence of Ownership:** The current owner of the water right listed above is Charles H Terry and Edna L Terry Family Trust. Please supply a copy of the deed from Charles H Terry and Edna L Terry Family Trust to the Terry Family Trust.

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

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Baily
Technical Records Specialist

July 9, 2024

Hello Jonie,

Thank you for your call today.
Enclosed are copies of two
documents that may help clarify
Evidence of Ownership re No 75-14511
Water Right.

- Affidavit - Change of Trustee
- Resignation of Trustee and Acceptance
of Trust by Successor Trustee

I have included another copy of
Quitclaim Deed.

Do let me know if you need more.
many thanks. Lynda Borchert



IDAHO DEPARTMENT OF
WATER RESOURCES

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Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 15, 2024

TERRY FAMILY TRUST
8939 MARTIN AVE
FOUNTAIN VLY CA 92708-6332

Re: Change in Water Right Ownership: 75-14511 (Split into 75-14511 and 75-15105)

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) 497-3787.

Sincerely,

Jonie Bailly
Technical Records Specialist 1

Enclosure(s)

cc: ALAN C TERRY