

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 04 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
11-7339	Yes ☐	Yes ☐		Yes ☐	Yes ☐
11-7342	Yes ☐	Yes ☐		Yes ☐	Yes ☐
11-7343	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John and Julie Franson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bear River Summit LLC (Kirk Young)
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 529 E. Pioneer Rd., Ste. 200 Draper UT 84020
Mailing address City State Zip
801-889-9977 kirk@projectutah.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: 6-11-2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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] MANAGER 7/13/23
Signature of new owner/claimant Title, if applicable Date
KIRK YOUNG
Print name BEAR RIVER SUMMIT LLC
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:

Received by W/A Date W/A Receipt No. W/A Receipt Amt. W/A
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 W/A Approved by MB Processed by MB Date 8/14/23

RECORDING REQUESTED BY

Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:Flying S Title and Escrow of Idaho, Inc.
241 S Main Street Suite 1
Soda Springs, ID 83276**Instrument # 211349**

CARIBOU COUNTY, IDAHO

06-16-2023 09:22:06 No. of Pages: 6

Recorded for: FLYING S TITLE AND ESCROW - SODA SPRINGS

Denise Horsley Fee: \$15.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **1092949SOD (ku)**Date: **June 07, 2023**

For Value Received, **John Karl Franson Jr and Julie Marie Franson, husband and wife, as to Parcel I; John K. Franson and Julie M. Franson, husband and wife, as to Parcel II; and John and Julie Franson, as to Parcel III.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Bear River Summit LLC, a Utah limited liability company**, hereinafter called the Grantee, whose current address is **529 E. Pioneer Rd., Ste. 200, Draper, UT 84020**, the following described premises, situated in **Caribou 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.

Date: **06/07/2023**

Warranty Deed
- continued

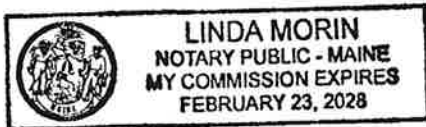
File No.: **1092949SOD (ku)**

John Karl Franson Jr
John K Franson
By: John Franson
John Franson also known as John K.
Franson and John Karl Franson, Jr.

Julie Franson aka Julie Marie Franson
By: Julie Franson aka Julie Marie Franson
Julie Franson also known as
Julie Marie Franson

STATE OF Maine)
COUNTY OF Franklin)
SS.

On this 10 day of **June, 2023**, before me, a Notary Public in and for said State, personally appeared **John Franson and Julie Franson**, known or identified to me 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.



Linda Morin
Notary Public for the State of Maine
Residing at: 80 Innes Ridge Rd Wayne ME 04284
My Commission Expires: 02-23-2028

EXHIBIT A

Parcel I:

Township 9 South, Range 42 East of the Boise Meridian, Caribou County, Idaho:

Section 30: Beginning at the Northeast Corner of said Section 30, from which the East Quarter Corner bears South 00°55'46" West 2647.00 feet; Thence South 00°55'46" West 1323.49 feet along said Section line, to the North 1/16th Corner on the East line of said Section; Thence North 89°37'57" West 301.84 feet along the North line of the SE¼NE¼ to a 5/8" rebar with cap labeled "A.A. Hudson, PLS 4735", set on the Westerly right of way line of Bailey Creek Road, the True Point of Beginning;

Thence South 17°33'02" East 120.39 feet to the beginning of a 921.47 foot radius curve concave to the Northeast;

Thence Southeasterly along said curve through a central angle of 10°46'10" a distance of 173.20 feet (Chord=South 22°56'07" East 172.95 feet) to the point of intersection of a 84.80 foot radius non-tangent curve concave to the Northeast, whose center point bears North 26°00'17" West;

Thence Northwesterly along said curve through a central angle of 62°18'08" a distance of 92.21 feet (Chord=North 84°50'28" West 87.73 feet);

Thence North 53°42'09" West 85.03 feet to the beginning of a 287.50 foot radius curve concave to the Southwest;

Thence Southwesterly along said curve through a central angle of 59°06'01" a distance of 296.56 feet (Chord=North 83°15'10" West 283.58 feet);

Thence South 67°11'50" West 306.64 feet to the beginning of a 153.33 foot radius curve concave to the Southeast;

Thence Southwesterly along said curve through a central angle of 30°30'40" a distance of 81.65 feet (Chord=South 51°56'30" West 80.69 feet);

Thence South 36°41'10" West 151.62 feet to a 5/8" rebar with cap set at the Southerly right of way line of a 60.00 access easement;

Thence South 69°43'46" East 73.58 feet along said right of way to a 5/8" rebar with cap;

Thence South 81°06'41" East 81.85 feet along said right of way to a 5/8" rebar with cap;

Thence South 00°03'47" East 624.16 feet to a 5/8" rebar with cap;

Thence North 89°59'56" West 389.49 feet to a 5/8" rebar with cap;

Thence South 29°19'26" West 206.12 feet to a 5/8" rebar with cap;

Thence South 00°14'02" West 445.32 feet to a 5/8" rebar with cap;

Thence North 89°56'38" West 418.73 feet to a 5/8" rebar with cap;

Thence North 47°23'47" West 104.71 feet to a 5/8" rebar with cap;

Thence North 47°23'58" West 299.80 feet to a 5/8" rebar with cap;

Thence North 45°12'32" West 886.55 feet to a 5/8" rebar with cap, set on the North bank of the Bear River;

Thence following along said bank the next 14 courses:

Thence North 89°36'52" East 132.07 feet;

Thence South 85°28'33" East 233.41 feet;

Thence South 86°03'47" East 87.37 feet;

Thence North 81°51'14" East 105.25 feet;

Thence North 71°59'17" East 64.61 feet;

Thence North 71°55'49" East 44.38 feet;

Thence North 56°22'43" East 125.03 feet;
Thence North 44°35'07" East 285.91 feet;
Thence North 39°56'42" East 130.30 feet;
Thence North 41°22'27" East 229.14 feet;
Thence North 23°03'13" East 145.31 feet;
Thence North 40°55'53" East 112.76 feet;
Thence North 46°35'18" East 92.56 feet;
Thence North 55°34'53" East 27.40 feet to a 5/8" rebar with cap set on the North line of the SW¼NE¼;
Thence South 89°37'57" East 1037.68 feet along said North line and the North line of the SE¼NE¼,
To the True Point of Beginning.

Parcel II:

Township 9 South, Range 42 East of the Boise Meridian, Caribou County, Idaho:

Section 29: All that portion of the SW¼NW¼ and NW¼SW¼ lying West of the Westerly right of way line of the Bailey Creek County Road, also shown of record as the Bailey Creek Eight Mile Road, as historically located.

Section 30: Lots 2 and 4, S½NE¼, SE¼NW¼, E½SW¼, NW¼SE¼. ALSO, that portion of Lot 3 lying South and East of the Bear River as historically located.

EXCEPT THEREFROM, all that portion of Lot 2 and the SE¼NW¼ and SW¼NE¼ lying North of the North bank of the Bear River, more particularly described as follows:

**Beginning at a point on the North bank of the Bear River 1230 feet East of the Southwest Corner of Lot 2, and running
Thence following the North bank of the Bear River Northeasterly to a point 920 feet South of the Northeast Corner of the SE¼NW¼ of said Section 30;
Thence continuing Northeasterly to the approximately Northeast Corner of the SW¼NE¼ of said Section 30.**

ALSO EXCEPT THEREFROM, any portion of the SE¼NE¼ lying Easterly of the Bailey Creek Road, also shown of record as the Bailey Creek Eight Mile Road, as historically located, or within the right of way thereof.

**ALSO EXCEPT THEREFROM, Beginning at the Northeast Corner of said Section 30, from which the East Quarter Corner bears South 00°55'46" West 2647.00 feet; Thence South 00°55'46" West 1323.49 feet along said Section line, to the North 1/16th Corner on the East line of said Section; Thence North 89°37'57" West 301.84 feet along the North line of the SE¼NE¼ to a 5/8" rebar with cap labeled "A.A. Hudson, PLS 4735", set on the Westerly right of way line of Bailey Creek Road, the True Point of Beginning;
Thence South 17°33'02" East 120.39 feet to the beginning of a 921.47 foot radius curve concave to the Northeast;
Thence Southeasterly along said curve through a central angle of 10°46'10" a distance of 173.20 feet (Chord=South 22°56'07" East 172.95 feet) to the point of intersection of a 84.80 feet radius non-tangent curve concave to the Northeast, whose center point bears North 26°00'17" West;**

Thence Northwesterly along said curve through a central angle of 62°18'08" a distance of 92.21 feet (Chord=North 84°50'28" West 87.73 feet);
Thence North 53°42'09" West 85.03 feet to the beginning of a 287.50 foot radius curve concave to the Southwest;
Thence Southwesterly along said curve through a central angle of 59°06'01" a distance of 296.56 feet (Chord=North 83°15'10" West 283.58 feet);
Thence South 67°11'50" West 306.64 feet to the beginning of a 153.33 foot radius curve concave to the Southeast;
Thence Southwesterly along said curve through a central angle of 30°30'40" a distance of 81.65 feet (Chord=South 51°56'30" West 80.69 feet);
Thence South 36°41'10" West 151.62 feet to a 5/8" rebar with cap set at the Southerly right of way line of a 60.00 access easement;
Thence South 69°43'46" East 73.58 feet along said right of way to a 5/8" rebar with cap;
Thence South 81°06'41" East 81.85 feet along said right of way to a 5/8" rebar with cap;
Thence South 00°03'47" East 624.16 feet to a 5/8" rebar with cap;
Thence North 89°59'56" West 389.49 feet to a 5/8" rebar with cap;
Thence South 29°19'26" West 206.12 feet to a 5/8" rebar with cap;
Thence South 00°14'02" West 445.32 feet to a 5/8" rebar with cap;
Thence North 89°56'38" West 418.73 feet to a 5/8" rebar with cap;
Thence North 47°23'47" West 104.71 feet to a 5/8" rebar with cap;
Thence North 47°23'58" West 299.80 feet to a 5/8" rebar with cap;
Thence North 45°12'32" West 886.55 feet to a 5/8" rebar with cap, set on the North bank of the Bear River;
Thence following along said bank the next 14 courses:
Thence North 89°36'52" East 132.07 feet;
Thence South 85°28'33" East 233.41 feet;
Thence South 86°03'47" East 87.37 feet;
Thence North 81°51'14" East 105.25 feet;
Thence North 71°59'17" East 64.61 feet;
Thence North 71°55'49" East 44.38 feet;
Thence North 56°22'43" East 125.03 feet;
Thence North 44°35'07" East 285.91 feet;
Thence North 39°56'42" East 130.30 feet;
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Thence North 23°03'13" East 145.31 feet;
Thence North 40°55'53" East 112.76 feet;
Thence North 46°35'18" East 92.56 feet;
Thence North 55°34'53" East 27.40 feet to a 5/8" rebar with cap set on the North line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°37'57" East 1037.68 feet along said North line and the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
To the True Point of Beginning.

ALSO EXCEPT THEREFROM, Beginning at the South Quarter Corner of said Section 30, from which the Southwest Corner of Section 30 bears North 89°47'05" West 2735.46 feet; Thence North 89°47'05" West 800.20 feet along the South line of said Section 30; Thence North 00°12'55" East 254.69 feet to an Evergreen tree, the True Point of Beginning, and running Thence North 37°40'45" West 131.58 feet to an Evergreen tree;
Thence North 52°56'33" West 140.44 feet to an Evergreen tree;
Thence North 13°15'00" East 73.68 feet to the Southwesterly edge of a creek;

Thence South 77°36'04" East 56.93 feet along said Southwesterly edge of a creek;
Thence South 62°55'44" East 46.23 feet along said Southwesterly edge of a creek;
Thence South 43°00'51" East 123.45 feet along said Southwesterly edge of a creek;
Thence South 21°13'25" East 34.28 feet along said Southwesterly edge of a creek;
Thence South 09°36'29" West 106.49 feet,
To the True Point of Beginning.

Parcel III:

Township 9 South, Range 42 East of the Boise Meridian, Caribou County, Idaho:

Section 30: Beginning at the South Quarter Corner of said Section 30, from which the Southwest Corner of Section 30 bears North 89°47'05" West 2735.46 feet; Thence North 89°47'05" West 800.20 feet along the South line of said Section 30; Thence North 00°12'55" East 254.69 feet to an Evergreen tree, the True Point of Beginning, and running
Thence North 37°40'45" West 131.58 feet to an Evergreen tree;
Thence North 52°56'33" West 140.44 feet to an Evergreen tree;
Thence North 13°15'00" East 73.68 feet to the Southwesterly edge of a creek;
Thence South 77°36'04" East 56.93 feet along said Southwesterly edge of a creek;
Thence South 62°55'44" East 46.23 feet along said Southwesterly edge of a creek;
Thence South 43°00'51" East 123.45 feet along said Southwesterly edge of a creek;
Thence South 21°13'25" East 34.28 feet along said Southwesterly edge of a creek;
Thence South 09°36'29" West 106.49 feet,
To the True Point of Beginning.

