

JAN 11 2022

Department of Water Resources
Eastern RegionSTATE 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-11512 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: PT Elliot LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Chad D. Cardenas and Sarah Renee Cardenas
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 575 Fox Creek Rd Swan Valley ID 83449
Mailing address City State Zip
310-880-3652 chadcardenas@yahoo.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: January 2022
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: *Chad D Cardenas* Title, if applicable _____ Date 1/3/22
Signature of new owner/claimant
Print name Chad D Cardenas

Signature: *Sarah Cardenas* Title, if applicable _____ Date 1/3/22
Signature of new owner/claimant
Print name Sarah Cardenas

For IDWR Office Use Only:

Received by JB Date 1/11/2022 Receipt No. E047696 Receipt Amt. \$25.-
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 1/13/2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

Instrument # 1711920
Bonneville County, Idaho Falls, Idaho
01/11/2022 01:44:22 PM No. of Pages: 4
Recorded for: ROCKY MTN ENVIRONMENTAL
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

jm

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

PT ELLIOTT, LLC, an Idaho limited liability company, whose address is 392 N 4500 E, Rigby, Idaho 83442 (hereinafter collectively "Grantor") does hereby grant, bargain, sell, assign, and convey unto **CHAD D CARDENAS AND SARAH RENEE CARDENAS**, husband and wife, whose address is 3021 Via La Selva, Palos Verdes Peninsula, CA 90274, (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

[SIGNATURES ON FOLLOWING PAGE]

DATED this 10 day of January, 2022.

"GRANTOR"

PT ELLIOTT, LLC

Carl Zitlau
By: Carl Zitlau
Its: Manager

STATE OF IDAHO)

County of Bonneville)ss.

This record was acknowledged before me on the 10 day of January, 2022, by **CARL ZITLAU**, Manager of PT Elliott, LLC.



Kristin Moore
Notary Public for Idaho
My Commission Expires: June 29, 2022

EXHIBIT A **WATER RIGHT DESCRIPTION**

Page 3 of 5

WATER RIGHT NO. 23-11512 **As Modified by Transfer No. 85425**

In accordance with the approval of Transfer No. 85425, Water Right No. 23-11512 is now described as follows:

Right Holder: PT ELLIOTT LLC
392 N 4500 E
RIGBY, ID 83442-5596

Priority Date: 4/22/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DIVERSION TO STORAGE	04/15	to 10/15	0.020 cfs	4.4 af
IRRIGATION	04/15	to 10/15	0.020 cfs	1.9 af
RECREATION STORAGE	1/1	to 12/31	0.040 cfs	5.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 2 Twp 01N Rge 43E	JEFFERSON County
GROUND WATER	SENE	Sec 2 Twp 01N Rge 43E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	2								1.1									1.1
POU Total Acres:			1.1																

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	43E	2									x								

CONDITIONS OF APPROVAL

1. Prior to diversion and use of water under Transfer approval 85425, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
2. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

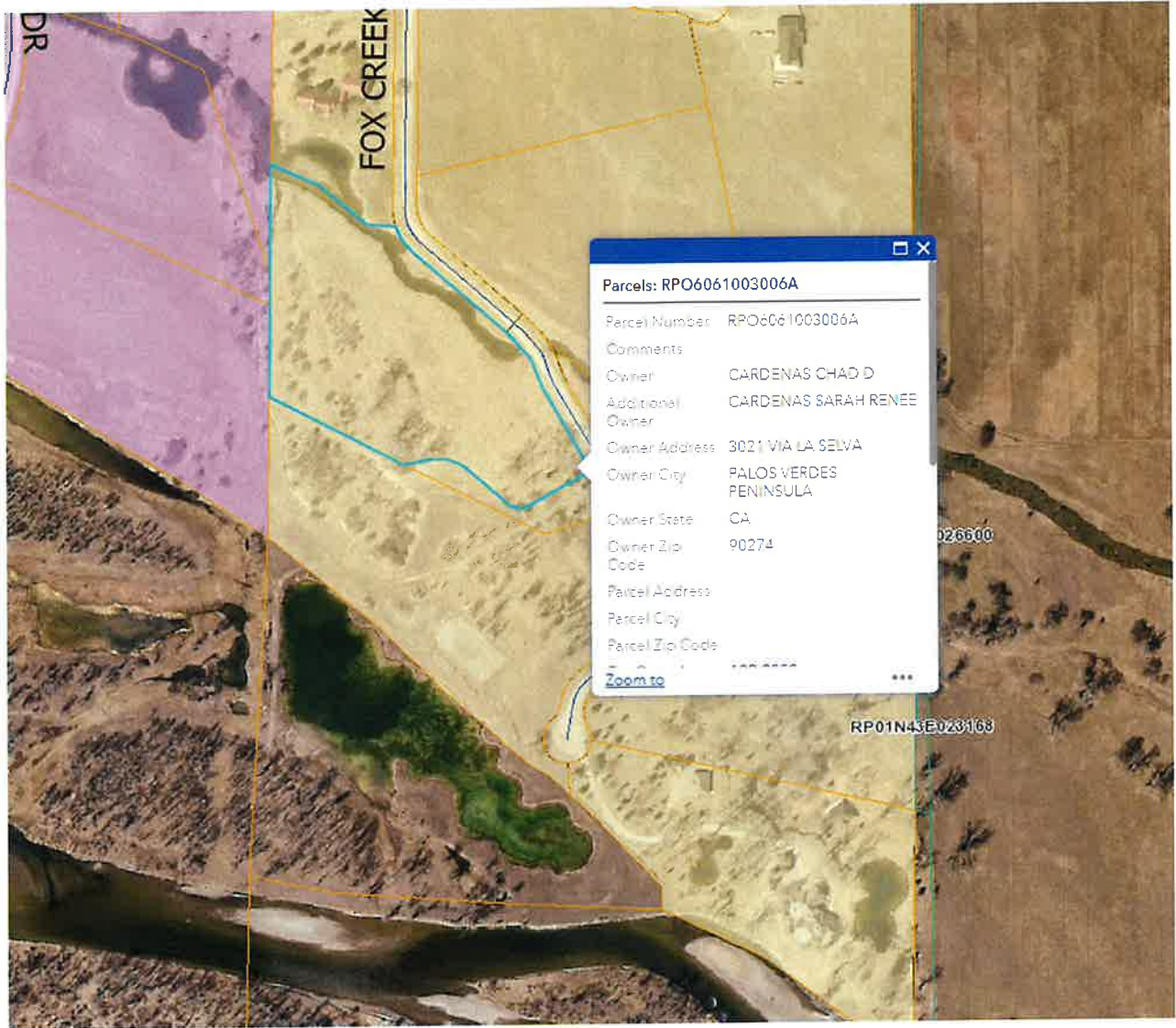
Transfer No. 85425

WATER RIGHT NO. 23-11512
As Modified by Transfer No. 85425

CONDITIONS OF APPROVAL

3. The pond or reservoir established by the storage of water under this right shall not exceed a total capacity of 17.2 acre-feet or a total surface area of 2.0 acres.
4. This right only authorizes the diversion of ground water to replace evaporative losses from 2.0 acre surface area recreation pond.
5. This right does not authorize the diversion of ground water to storage. The diversion of ground water to storage for the initial fill and any subsequent fill must be authorized pursuant to a water supply bank lease or other approval from the Department of Water Resources.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 85425



Parcels: RPO6061003006A

Parcel Number: RPO6061003006A
Comments:
Owner: CARDENAS CHAD D
Additional Owner: CARDENAS SARAH RENEE
Owner Address: 3021 VIA LA SELVA
Owner City: PALOS VERDES PENINSULA
Owner State: CA
Owner Zip Code: 90274
Parcel Address:
Parcel City:
Parcel Zip Code:

[Zoom to](#)

RP01N43E023168



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:552704

FOR VALUE RECEIVED

Gary V Olsen and Patricia Olsen, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Chad D Cardenas and Sarah Renee Cardenas, husband and wife

whose current address is

**3021 Via La Selva
Palos Verdes Peninsula, CA 90274**

the grantee(s), the following described premises, in Bonneville County, Idaho, TO WIT:

Lot 6 in Block 3 of 1st Amended Plat Of Fox Creek Ranch, Division No. 1, according to the official plat thereof, filed in Book F of Plats at Page(s) 38, records of Bonneville County, Idaho under recorder's Instrument No. 938791.

Less and Excepting therefrom:

Beginning at a point that is South 63°14'08" East along the Lot line 314.31 feet from the Southwest corner of Lot 6 in Block 3 of 1st Amended Plat Of Fox Creek Ranch, Division No. 1, according to the official plat thereof, recorded on May 17, 1995 as Instrument No. 899113, filed in Official Records of Bonneville County, Idaho; running thence North 78°43'15" East 45.76 feet to a point of curve with a radius of 102.96 feet and a chord that bears South 75°01'02" East 91.12 feet; thence to the right along said curve 94.39 feet through a central angle of 52°31'27"; thence South 48°45'18" East 103.10 feet to a point of curve with a radius of 33.57 feet and a chord that bears South 84°03'00" East 38.79 feet; thence to the left along said curve 41.36 feet through a central angle of 70°35'24"; thence North 60°39'18" East 147.81 feet to the East Lot line of said Lot 6; thence along said East and South Lot lines the following three courses: South 30°44'21" East 95.88 feet; thence South 72°28'38" West 151.79 feet; thence North 63°14'08" West 315.95 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 2021


Gary V Olsen

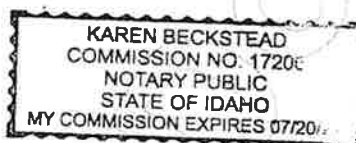
Patricia Olsen

State of Idaho } ss
County of Bonneville }

On this 3rd day of May, 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Gary V Olsen and Patricia Olsen, known or identified to me to be the persons whose names are subscribed to the within Instrument.

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


Notary Public for the State of Idaho
Commission Expires:





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 Gary Spackman

January 13, 2022

CHAD CARDENAS
SARAH RENEE CARDENAS
575 FOX CREEK ROAD
SWAN VALLEY ID 83449

Re: Change in Ownership for Water Right No(s): 23-11512

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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 Barg
Technical Records Specialist 1

Enclosure(s)